BRB No. 04-189
Case No. 01-LHC-0491

ANA POZOS	)	
	)	
Claimant-Petitioner	)	DATE ISSUED: August 10, 2004
v.	)	
	)	
ARMY & AIR FORCE EXCHANGE SERVICES	)	
	)	
	)	
and	)	
	)	
CONTRACT CLAIMS SERVICES	)	
	)	
Employer/Carrier-Respondents	)	ORDER

On July 12, 2004, the Board received claimant's request to remand the captioned case to the Office of the Administrative Law Judges for modification proceedings. The Board hereby dismisses claimant's appeal and remands the case to the administrative law judge for modification proceedings.

If the administrative law judge denies modification, the case may be reinstated on the Board's docket. The Board will reinstate the case only if the petitioner requests reinstatement. The request for reinstatement must be filed with the Board within thirty (30) days from the date the Order on modification is filed and must be identified by BRB No. 04-189. If reinstatement is requested, the Board will reconsider only the issues raised in claimant's appeal of the administrative law judge's Decision and Order Denying Relief filed October 2, 2003.

In the event the administrative law judge denies modification and claimant wishes the Board to consider not only the original appeal, but also whether the administrative law judge erred in denying modification, a Notice of Appeal of the Order denying modification must also be filed with the request for reinstatement. The Notice of Appeal must also be filed with the Board within thirty (30) days of the date the Order on modification will be filed. 20 C.F.R. §802.205. The appeal of the Order on modification will be assigned a new BRB number and will be consolidated with BRB No. 04-189.

In the event the administrative law judge grants modification, any party who is aggrieved by the Order granting modification may file an appeal with the Board within thirty (30) days of the date the Order granting modification is filed.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge