

BRB No. 05-0210
Case No. 02-LHC-0526
OWCP No. 06-0168843

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|-----------------------|---|---------------------------------------|
| SUN MURRAY |) | |
| |) | |
| Claimant-Petitioner |) | DATE ISSUED: <u>November 30, 2004</u> |
| |) | |
| v. |) | |
| |) | |
| U.S. ARMY/NAF |) | |
| |) | |
| and |) | |
| |) | |
| RSKCO RISK MANAGEMENT |) | |
| |) | |
| Employer/Carrier- |) | |
| Respondents |) | ORDER |

The Board acknowledges receipt of claimant's Notice of Appeal of the administrative law Judge's Decision and Order dated September 30, 2004, and filed October 6, 2004. Claimant's appeal has been assigned BRB No. 05-0210. All future correspondence must bear this number.

In claimant's notice of appeal, counsel states that employer has filed a timely motion for reconsideration of the administrative law judge's decision. Section 802.206(f) of the Board's Rules of Practice and Procedure states that if a timely motion for reconsideration of a decision or order of a

deputy commissioner or an administrative law judge is filed, any appeal to the Board, whether filed

prior to or subsequent to the filing of a timely motion for reconsideration shall be dismissed as premature. 20 C.F.R. §802.206(f). Accordingly, the Board dismisses this appeal as premature.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge