

U.S. Department of Labor

Benefits Review Board
200 Constitution Ave. NW
Washington, DC 20210-0001



BRB No. 19-0155 BLA

JOYCE ANN HICKS)	
(Widow of CARL HICKS))	
)	
Claimant-Respondent)	
)	
v.)	
)	
MAGIC MINING, INCORPORATED)	
)	DATE ISSUED: 04/30/2020
Employer-Petitioner)	
)	
DIRECTOR, OFFICE OF WORKERS’)	
COMPENSATION PROGRAMS, UNITED)	
STATES DEPARTMENT OF LABOR)	ORDER on MOTION for
)	RECONSIDERATION EN
Party-in-Interest)	BANC

Employer has filed a timely motion for reconsideration of the Benefits Review Board’s Decision and Order in the Widow’s claim in *Hicks v. Magic Mining, Inc.*, BRB Nos. 19-0155 BLA, 19-0278 BLA-A (Apr. 30, 2020) (unpub.), suggesting the appropriateness of en banc review. 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407(a), (b). Claimant has not responded. The Director, Office of Workers’ Compensation Programs, has filed a response opposing employer’s motion. Employer has filed a reply brief.

A majority of the Board has not voted to vacate or modify the Board’s decision. Therefore, employer’s motion for reconsideration is denied. 33 U.S.C. §921(b)(5); 20 C.F.R. §§801.301(c); 802.407(d); 802.409.

By Order of the Board:

Thomas O. Shepherd, Jr.
Clerk of the Appellate Boards