

BRB Nos. 04-0494 BLA
and 04-0494 BLA-A
Case No. 03-BLA-0049

DARIS CASEY)
)
 Claimant-Petitioner) DATE ISSUED: April 30, 2004
 Cross-Respondent)
)
 v.)
)
 BLACKSTAR COAL COMPANY,)
 INCORPORATED)
)
 and)
)
 AMERICAN INTERNATIONAL SOUTH)
 COMPANY)
)
 Employer/Carrier-)
 Respondent)
 Cross-Petitioner)
)
 DIRECTOR, OFFICE OF WORKERS')
 COMPENSATION PROGRAMS, UNITED))
 STATES DEPARTMENT OF LABOR)
)
 Party-in-Interest) ORDER

Claimant has filed a motion requesting that his appeal in BRB No. 04-494 BLA, be dismissed. The Board grants claimant's motion and dismisses the appeal. 20 C.F.R. '802.401.

Employer's appeal BRB No. 04-494 BLA-A remains pending before the Board.

By Order of the Board:

Thomas O. Shepherd, Jr.
Clerk of the Board