

BRB Nos. 04-250 BLA
and 04-250 BLA-A
Case No. 03-BLA-5197

JULIAN J. QUERY)	
)	
Claimant-Petitioner)	DATE ISSUED: 02/27/2004
Cross-Respondent)	
)	
v.)	
)	
BARNES & TUCKER COMPANY)	
)	
Employer-Respondent)	
Cross-Petitioner)	
)	
DIRECTOR, OFFICE OF WORKERS')	
COMPENSATION UNITED STATES)	
DEPARTMENT OF LABOR)	
)	
Party-in-Interest)	ORDER

By Order dated February 25, 2004, the Board directed claimant to show cause within ten (10) days of receipt of the Order why his appeal, BRB No. 04-250 BLA, should not be dismissed for failure to file the required Petition for Review and brief. 20 C.F.R. §§802.218(b), 802.402.

Claimant has filed as request to withdraw his appeal, BRB No. 04-250 BLA. The Board grants claimant's request and dismisses this appeal. 20 C.F.R. §802.401. In view of the fact that claimant's motion has been granted and the appeal has been dismissed, the Board also dismisses employer's protective cross-appeal, BRB No. 04-250 BLA-A. 20 C.F.R. §802.401.

By Order of the Board:

Thomas O. Shepherd, Jr.
Clerk of the Board