

BRB No. 04-146 BLA
Case No. 02-BLA-5259

HELEN McKIDDY)	
(Widow of RICHARD McKIDDY))	
)	
Claimant-Respondent)	DATE ISSUED: 11/26/2003
)	
v.)	
)	
BROWNIES CREEK COLLIERIES)	
)	
Employer-Petitioner)	
)	
DIRECTOR, OFFICE OF WORKERS')	
COMPENSATION PROGRAMS, UNITED)	
STATES DEPARTMENT OF LABOR)	
)	
Party-in-Interest)	ORDER

On November 18, 2003, the Board received employer's request to withdraw the captioned appeal. In addition, employer requests that this case be remanded to the District Director for the payment of benefits and for any other relief to which claimant may be entitled.

The Board construes employer's request to be a withdrawal of controversion of all issues. *See Pendley v. Director, OWCP*, 13 BLR 1-23 (1989). Accordingly, we grant employer's request and remand this case to the Office of the District Director for payment of benefits to claimant.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge