



BRB No. 17-0537

MARJORIE BELL SMITH	)	
(Mother of TIMOTHY M. BELL, deceased)	)	
	)	
Claimant-Petitioner	)	
	)	
v.	)	
	)	
SERVICE EMPLOYEES	)	
INTERNATIONAL, INCORPORATED	)	DATE ISSUED: <u>Aug. 21, 2018</u>
	)	
and	)	
	)	
INSURANCE COMPANY OF THE STATE	)	
OF PENNSYLVANIA	)	
	)	
Employer/Carrier-	)	ORDER on MOTION for
Respondents	)	RECONSIDERATION

Claimant, appearing without counsel, has filed a timely motion for reconsideration of the Board’s decision in *Bell Smith v. Service Employees Int’l, Inc.*, BRB No. 17-0537 (June 13, 2018) (unpub.). 33 U.S.C. §921(b)(5); 20 C.F.R. §802.407. Claimant seeks to submit new evidence to the Board to support her claim that she was dependent upon her deceased son for the purposes of entitlement to death benefits under the Act. *See* 33 U.S.C. §909. Employer has not responded to claimant’s motion.

The Board is prohibited from considering evidence that was not submitted to the administrative law judge. 20 C.F.R. §802.301(b). The document claimant submitted to the Board is therefore being returned to her. 20 C.F.R. §802.301(b). If claimant wishes to have new evidence considered in support of her claim, she may file a Section 22 motion

for modification with the district director within one year of the date of this Order. 33  
U.S.C. §922; 20 C.F.R. §§702.373, 802.301(c).

Claimant has not raised any other contentions in support of her motion for reconsideration. Accordingly, claimant's motion for reconsideration is denied and the Board's decision is affirmed. 20 C.F.R. §802.409.

SO ORDERED.

JUDITH S. BOGGS  
Administrative Appeals Judge

GREG J. BUZZARD  
Administrative Appeals Judge

JONATHAN ROLFE  
Administrative Appeals Judge