



BRB No. 19-0453
OWCP No. 01-308624

JAMES DOHERTY, Jr.)	
)	
Claimant-Respondent)	
)	
v.)	DATE ISSUED: 09/16/2019
)	
ELECTRIC BOAT CORPORATION)	
)	
Self-Insured)	
Employer-Petitioner)	
)	
DIRECTOR, OFFICE OF WORKERS')	
COMPENSATION PROGRAMS, UNITED)	
STATES DEPARTMENT OF LABOR)	
)	
Party-in-Interest)	ORDER

Employer has filed a motion to stay the proceedings in this appeal pending the district director's action on employer's motion for reconsideration.

We deny employer's motion and dismiss its appeal. The Board's regulation at 20 C.F.R. §802.206(f) requires that the Board dismiss as premature any appeal filed in a case in which a timely motion for reconsideration has been filed with the district director or administrative law judge.¹ See *Aetna Casualty & Surety Co. v. Director, OWCP*, 97 F.3d

¹ Section 802.206(f) states:

If a timely motion for reconsideration of a decision or order of an administrative law judge or [district director] is filed, any appeal to the Board, whether filed prior to or subsequent to the filing of the timely motion for reconsideration, shall be dismissed without prejudice as premature. Following decision by the administrative law judge or [district director]

815, 30 BRBS 81(CRT) (5th Cir. 1996). If any party is aggrieved by the district director's original order or his order on reconsideration, any new appeal must be filed with the Board within 30 days of the filing date of the order on reconsideration. 20 C.F.R. §§802.205, 802.206(d)-(f).

Accordingly, employer's appeal is dismissed.

SO ORDERED.

GREG J. BUZZARD
Administrative Appeals Judge

JONATHAN ROLFE
Administrative Appeals Judge

DANIEL T. GRESH
Administrative Appeals Judge

pursuant to either paragraph (d) or (e) of this section, a new notice of appeal shall be filed with the Clerk of the Board by any party who wishes to appeal. During the pendency of an appeal to the Board, any party having knowledge that a motion for reconsideration of a decision or order of an administrative law judge or [district director] has been filed shall notify the Board of such filing.