

BRB No. 04-137
Case No. 03-LHC-0375
OWCP No. 6-159114

CHARLES A. WILLIAMS)	
)	DATE ISSUED: <u>July 27, 2004</u>
Claimant-Respondent)	
)	
v.)	
)	
INGALLS SHIPBUILDING, INCORPORATED)	
)	
Employer-Petitioner)	ORDER

Employer has filed a Motion to remand the captioned case to the District Director for modification proceedings. No objections to the motion have been received.

Employer is advised that modification is properly initiated before the Office of Administrative Law Judges. The Board grants employer's motion for remand. This case is, therefore, dismissed and remanded to the Office of Administrative Law Judges for modification proceedings.

Once a final decision on the petition for modification is issued by an administrative law judge, the case may be reinstated if modification is denied. 20 C.F.R. §802.301(c). This case will be reinstated by the Board only if petitioner requests reinstatement. The request for reinstatement must be filed with the Board within thirty (30) days of the date the Order on modification is filed and must be identified by the Board's docket number, BRB No. 04-137.

In the event the administrative law judge grants modification, any party aggrieved by the Order granting modification may file an appeal with the Board within thirty (30) days of the date the Order granting modification is filed. 20 C.F.R. §802.205.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

ROY P. SMITH
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge