



BRB Nos. 17-0245 BLA
and 17-0246 BLA
Case Nos. 2012-BLA-05982
and 2015-BLA-05812

ROSEMARY HELMONDOLLAR)
(Widow of JAMES HELMONDOLLAR, JR.))

Claimant-Respondent)

v.)

WEST VIRGINIA SOLID ENERGY)

and)

OLD REPUBLIC INSURANCE COMPANY)

Employer/Carrier-)
Petitioners)

DIRECTOR, OFFICE OF WORKERS')
COMPENSATION PROGRAMS, UNITED)
STATES DEPARTMENT OF LABOR)

Party-in-Interest)

DATE ISSUED: 04/25/2018

ORDER

On March 30, 2018, the Board ordered the parties to show cause within ten (10) days of receipt of the Board's Order why this case should not be remanded for the administrative law judge to reconsider the substantive and procedural actions previously taken and to issue a decision on the merits accordingly. *Helmondollar v. W. Va. Solid Energy*, BRB Nos. 17-0245 BLA and 17-0246 BLA (Mar. 30, 2018) (unpub. Order). The Director, Office of Workers' Compensation Programs (the Director), responds that she does not object to the case being remanded. Employer and claimant have not filed responses to the Order to Show Cause.

Upon consideration of the Director's position, we agree that under these circumstances the most expeditious course of action is to remand this case to the administrative law judge to promptly reconsider the substantive and procedural actions previously taken and to issue a decision on the merits accordingly. 20 C.F.R. §802.405(a). Any party adversely affected by the administrative law judge's decision may file a new appeal with the Board within thirty (30) days of the date that the decision is filed with the district director. 20 C.F.R. §802.205.

Accordingly, this case is remanded to the administrative law judge for further proceedings consistent with this Order.

BETTY JEAN HALL, Chief
Administrative Appeals Judge

RYAN GILLIGAN
Administrative Appeals Judge

JONATHAN ROLFE
Administrative Appeals Judge