

BRB No. 04-0221  
Case No. 02-LHC-2046  
OWCP No. 06-0177276

MICHELLE HOUTZ	)	
	)	
Claimant-Respondent	)	DATE ISSUED:Dec. 15, 2003
	)	
v.	)	
	)	
DEPARTMENT OF THE ARMY	)	
	)	
Employer-Petitioner	)	ORDER

On November 20, 2003, the Board received employer's Notice of Appeal of the administrative law judge's Decision and Order Awarding Benefits filed September 18, 2003, and the Decision and Order on Reconsideration filed October 24, 2003. Employer's appeal is assigned the Board's docket number, BRB No. 04-0221. This number must reference all future correspondence to the Board concerning this appeal.

Employer filed a request for reconsideration of the administrative law judge's Decision and Order on Reconsideration filed October 24, 2003. On December 4, 2003, the administrative law judge denied employer's motion for reconsideration. This Decision and Order was filed on December 8, 2003.

Section 802.206(f) of the Board's Rules of Practice and Procedures, 20 C.F.R. §802.206(f), provides that if a timely motion for reconsideration of a Decision and Order of an administrative law judge 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 as premature. Following a decision by the administrative law judge any party who wishes to appeal shall file a new Notice of Appeal with the Board. In light of the foregoing, the Board dismisses employer's appeal, BRB No. 04-0221, as premature.

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NANCY S. DOLDER, Chief  
Administrative Appeals Judge

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ROY P. SMITH  
Administrative Appeals Judge

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BETTY JEAN HALL  
Administrative Appeals Judge