

**U.S. Department of Labor**

Benefits Review Board  
200 Constitution Ave. NW  
Washington, DC 20210-0001



BRB No. 20-0555  
Case No. 2017-LDA-00620  
OWCP No. 02-312288

SANTOS FERIA JIMENEZ )  
 )  
 Claimant-Petitioner )  
 )  
 v. )  
 )  
 SOC-SMG, INCORPORATED ) DATE ISSUED: 01/12/2021  
 )  
 and )  
 )  
 ALLIED WORLD NATIONAL )  
 ASSURANCE COMPANY c/o BROADSPIRE )  
 )  
 Employer/Carrier- )  
 Respondents )  
 )  
 DIRECTOR, OFFICE OF WORKERS' )  
 COMPENSATION PROGRAMS, UNITED )  
 STATES DEPARTMENT OF LABOR )  
 )  
 Party-in-Interest ) ORDER

By letter dated October 19, 2020, the Benefits Review Board acknowledged claimant's September 14, 2020 appeal of the administrative law judge's Decision and Order Awarding Benefits, which was filed in the office of the district director on August 17, 2020.

Claimant noted in his appeal that he filed a Motion for Reconsideration with the Office of Administrative Law Judges on August 24, 2020. The administrative law judge's Order Denying Claimant's Motion for Reconsideration was filed in the office of the district director on September 29, 2020.

Section 802.206(f) of the Board's Rules of Practice and Procedure, 20 C.F.R. §802.206(f), provides that if a timely motion for reconsideration of a decision or 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.

Accordingly, as Claimant's appeal was filed before September 29, 2020, the Board dismisses claimant's appeal as premature. 20 C.F.R. §802.206(f). Claimant's request for an extension of time to file a Petition for Review and brief is rendered moot

SO ORDERED.

JUDITH S. BOGGS, Chief  
Administrative Appeals Judge

JONATHAN ROLFE  
Administrative Appeals Judge

DANIEL T. GRESH  
Administrative Appeals Judge