

BRB No. 04-0824
OWCP No. 05-0109879

ANTONIO HOLMES)	
)	
Claimant-Petitioner)	DATE ISSUED:
10/28/2004)	
)	
v.)	
)	
VIRGINIA INTERNATIONAL)	
TERMINALS, INC.)	
)	
and)	
)	
SIGNAL MUTUAL INDEMNITY)	
ASSOCIATION)	
)	
Employer/Carrier-)	
Respondents)	ORDER

By letter dated October 6, 2004, counsel for claimant requests that his appeal be remanded to the Office of the District Director for consideration of a proposed settlement in the captioned case.

Section 8(i)(1), 33 U.S.C. §908(i)(1) provides for the approval of such settlements by the administrative law judge or district director. Consistent with this section, claimant's appeal is dismissed and the Board grants the motion and remands this case to the Office of the District Director for further appropriate action.

In the event the proposed settlement is not approved and the petitioner wishes review of the merits of this appeal, the Board will reinstate the appeal upon the request of the petitioner. 33 U.S.C. §921(b)(4); 20 C.F.R. §405(a).

ROY P. SMITH
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge

JUDITH S. BOGGS
Administrative Appeals Judge