

May 3, 2007

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 06-60423

R L ELDRIDGE CONSTRUCTION INC; TEXAS MUTUAL INSURANCE COMPANY

Petitioners

v.

DIRECTOR, OFFICE OF WORKER'S COMPENSATION PROGRAMS, US DEPARTMENT
OF LABOR, SON NGUYEN

Respondents

Petition for Review of an Order of the
Benefits Review Board
BRB No. 05-0611

Before KING, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

The Decision and Order of the Benefits Review Board, holding that substantial evidence supported the decision of the administrative law judge that the employer and carrier failed to establish the existence of suitable alternative employment for the claimant, is AFFIRMED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.