

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 99-60414  
(Summary Calendar)

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MELINDA S. BLACK

Petitioner,

v.

MARATHON OIL COMPANY; ITT HARTFORD INSURANCE COMPANY; DIRECTOR,  
OFFICE OF WORKER'S COMPENSATION PROGRAMS, US DEPARTMENT OF LABOR

Respondents

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Petition for Review of an Order  
of the Benefits Review Board  
(BRB 98-0163A)

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July 31, 2000

Before HIGGINBOTHAM, WIENER, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

In this petition for review of an order of the Benefits Review Board ("the Board"), Petitioner Melinda S. Black asks us to reverse the Board's affirming of the Administrative Law Judge's ("ALJ") Decision and Order denying benefits, on the grounds that the Board and the ALJ failed properly to apply the presumption required under

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\*Pursuant to 5<sup>th</sup> Cir. Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>th</sup> Cir. Rule 47.5.4.

33 U.S.C. § 920 or, in the alternative, that the evidence was not properly evaluated by the ALJ. This suit was filed pursuant to the Longshore and Harbor Workers' Compensation Act, as amended, 33 U.S.C. § 901 et seq. ("the Act") against Respondents Marathon Oil Co. and I.T.T. Hartford Insurance Co. ("Marathon Oil"). Having carefully and fully considered the record and the briefs of counsel under the deferential substantial evidence standard, we affirm the decision of the Benefits Review Board for essentially the same reasons set forth in the Board's opinion.

AFFIRMED.