

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

January 9, 2014

Lyle W. Cayce
Clerk

No. 13-60509
Summary Calendar

ALVIN STEWART,

Petitioner

v.

DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS,
UNITED STATES DEPARTMENT OF LABOR; TIGRESS
ENVIRONMENTAL & DOCKSIDE SERVICES; LOUISIANA WORKERS'
COMPENSATION CORPORATION,

Respondents

Petition for Review from the
Benefits Review Board
BRB No. 12-0425

Before WIENER, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:*

Alvin Stewart petitions for review of an adverse decision by the Benefits Review Board ("BRB") regarding his Longshore and Harbor Workers' Compensation Act claim. However, the only issue he briefs pertains to Dr. Bernard, to whom Stewart was sent for an independent evaluation after

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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Stewart's doctor and the employer's doctors disagreed regarding causation of Stewart's back problems. Stewart contends that Dr. Bernard is biased such that his opinions should have been discounted by the Administrative Law Judge and the BRB.

The BRB concluded that it did not need to address the issue of Dr. Bernard's alleged partiality: "Because [the treating physician] did not relate claimant's continuing back problems to his work injury, claimant has not met his burden of establishing that his back condition is work-related. Therefore it is not necessary to address claimant's allegations with respect to Dr. Bernard's alleged partiality." *A.S. v. Tigress Envtl. & Dockside Servs.*, BRB No. 12-0425, 2013 WL 2472385, at *3 (DoL Ben. Rev. Bd. May 29, 2013). Stewart has wholly failed to address the basis for the BRB's ruling and, thus, has abandoned the only relevant issue before this court. *See United States v. Charles*, 469 F.3d 402, 408 (5th Cir. 2006) ("Inadequately briefed issues are deemed abandoned.").

PETITION FOR REVIEW DENIED.