

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 96-60789

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GEORGE HUFF,

Petitioner,

VERSUS

FLUOR DRILLING SERVICES, INC.; HARTFORD  
INSURANCE COMPANY; DIRECTOR, OFFICE OF WORKER'S  
COMPENSATION PROGRAMS, U.S. DEPT. OF LABOR,

Respondents.

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Petition for Review of an Order  
of the Benefits Review Board  
(94-3957)

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February 9, 1998

Before Davis, Wiener, and Parker, Circuit Judges.

PER CURIAM:\*

Huff was injured on October 4, 1982, while working in the course and scope of his employment for the Fluor Drilling Services, Inc. ("Fluor") under circumstances entitling him to compensation under the Longshore and Harbor Worker's Compensation Act. Fluor paid temporary total disability compensation from October 5, 1982 through January 7, 1985, the date of maximum medical improvement.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Huff subsequently filed a claim for continuing and additional benefits. On October 11, 1988, Huff and Fluor consented to the claim being decided on a stipulated record in lieu of a formal hearing and on June 23, 1989, the Administrative Law Judge ("ALJ") issued a decision and order denying benefits. Huff appealed to the Benefits Review Board which issued its decision in May 1992 which affirmed in part, reversed in part and vacated and remanded the matter to the ALJ. On June 7, 1994, the ALJ issued his decision and order after remand which again denied benefits to Huff. Huff filed a notice of appeal to the Benefits Review Board on September 9, 1994. The parties timely filed briefs, but the Benefits Review Board failed to take any action on this matter. On September 12, 1996, pursuant to the provisions of Public Law 104-134, the Benefits Review Board entered an order that this case was "Considered Affirmed." Huff then timely filed his petition for review with this court.

After considering the briefs and relevant portions of the record, we conclude that the findings of fact made by the ALJ are supported by substantial evidence and the conclusions of law arrived at the ALJ are not clearly erroneous. Accordingly, the petition for review is

DENIED.