

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-2104

SHARON L. SAUNDERS,

Petitioner,

v.

MARINE REPAIR SERVICES/SIGNAL MUTUAL INDEMNITY ASSOCIATION
LTD.; DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS,

Respondents.

On Petition for Review of an Order of the Benefits Review Board.
(08-0505)

Submitted: August 7, 2009

Decided: August 27, 2009

Before MICHAEL, SHEDD, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Sharon L. Saunders, Petitioner Pro Se. Richard John Barrett,
Lisa Lieberman Thatch, VANDEVENTER BLACK, L.L.P., Norfolk,
Virginia; Mark A. Reinhalter, Ann Marie Scarpino, UNITED STATES
DEPARTMENT OF LABOR, Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sharon L. Saunders petitions for review of orders of the Benefits Review Board (Board) dismissing her appeal from a compensation award as untimely and denying her motion for reconsideration. We affirm.

Saunders was required to appeal the decision of the Administrative Law Judge (ALJ) within thirty days after the decision (1) was filed in the office of the Deputy Commissioner and (2) was served on her. See 33 U.S.C. §§ 919(e), 921(a) (2006); Dominion Coal Corp. v. Honaker, 33 F.3d 401, 403 (4th Cir. 1994). The thirty-day period is jurisdictional. Grant v. Director, OWCP, 502 F.3d 361, 364 (5th Cir. 2007). Here, the ALJ's decision was filed with the Deputy Commissioner and served on Saunders on March 3, 2008. Saunders had thirty days, or until April 2, 2008, to note her appeal. Her notice of appeal, dated April 3, 2008, was untimely, as the Board found.

We therefore affirm. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED