

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RICKY ABRAM,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. H-09-4091
	§	
NABORS OFFSHORE CORPORATION,	§	
	§	
Defendant.	§	

OPINION AND ORDER

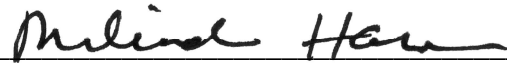
Before the Court is Plaintiff Ricky Abram’s (“Abram”) motion to remand. (Doc. 5). The Court previously set forth the facts of this case and requested further briefing on the types of vessels that Abram worked on while employed with Defendant Nabors Offshore Corporation (“Nabors”) in its Opinion and Order, dated August 5, 2010. (Doc. 15.) Both Nabors (Docs. 16, 19) and Abram (Docs. 17, 18) filed supplemental briefs.

Abram alleges, “I split my time between working on jack up rigs and platforms. . . . I estimate I spent 50% of my time with Nabors on vessels, specifically Nabors-owned vessels named Pool 50, Pool 53, Pool 54, Ranger 5 and Ranger 6.” (Doc. 5, Exh. 1.) However, none of the alleged vessels Abram identifies is listed on his work history and Abram offers no evidence to show that during his employment with Nabors he ever worked on any of those structures. (Doc. 6, Exh. 1.) Abram only claims that the Hoover Diana “felt more like a vessel than any other offshore installation [he] worked on, as it would rock and sway.” (Doc. 17-1 at 3.) However, the Court previously determined that the Hoover Diana is not a vessel under the Jones Act, 46 U.S.C. § 30104. (Doc. 15 at 7.) Rig superintendent King testified that “Abram has never worked on a jack-up drilling rig, semisubmersible or other vessel while employed by Nabors.” (Doc. 16-1, ¶ 8.)

Because there is no evidence to support Abram's contention that he spent more than 30% of his working hours on vessels while employed by Nabors, the Court has subject matter jurisdiction under the Outer Continental Shelf Lands Act ("OCSLA"), 43 U.S.C. § 1331 *et seq.*

Accordingly, the Court hereby ORDERS that Abram's motion to remand (Doc. 5) is DENIED.

SIGNED at Houston, Texas, this 9th day of September, 2010.

A handwritten signature in black ink, appearing to read "Melinda Harmon", written over a horizontal line.

MELINDA HARMON
UNITED STATES DISTRICT JUDGE