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JIM RESOURCES V. SOL (MSHA)  
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Federal Mine Safety and Health Review Commission  
Office of Administrative Law Judges

JIM WALTER RESOURCES, INC.,  
CONTESTANT

CONTEST PROCEEDING

v.

Docket No. SE 86-29-R  
Order No. 2605648; 12/2/85

SECRETARY OF LABOR,  
MINE SAFETY AND HEALTH  
ADMINISTRATION (MSHA),  
RESPONDENT

No. 3 Mine

ORDER OF DISMISSAL

Before: Judge Merlin

In light of the Commission's decision in Jim Walter Resources, Inc. v. Secretary of Labor, 9 FMSHRC 903 (1987), the Solicitor advises MSHA is vacating Order No. 2605648 which is the subject of the above-captioned case. In addition, the operator states that it withdraws its request for hearing.

Accordingly, this case is DISMISSED.

Paul Merlin  
Chief Administrative Law Judge