

CCASE:
BILLY HARNESS V. ROYAL JELLICO COAL
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

BILLY RAY HARNESS,
CONTESTANT

DISCRIMINATION PROCEEDING

Docket No. SE 83-52-D

v.

MSHA Case No. BARB
CD 83-22

ROYAL JELLICO COAL CO., INC.,
RESPONDENT

ORDER OF DISMISSAL

Appearances: Art Roberts, Jr., Esq., Knoxville, Tennessee,
for Contestant Jerome Templeton, Esq., Knoxville,
Tennessee, for Respondent

Before: Judge Melick.

At hearing, the Complainant requested approval to withdraw his complaint in the captioned case for the reason that the adverse action taken against him (discharge) admittedly occurred before the alleged protected activity (safety complaint). Under the circumstances, permission to withdraw was granted. 29 CFR 2700.11. The case is therefore dismissed.

Gary Melick
Assistant Chief Administrative Law Judge