

CCASE:
DAVID WILLIAMS V. SOUTHERN FUEL
DDATE:
19840328
TTEXT:

Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

DAVID L. WILLIAMS,
COMPLAINANT

v.

SOUTHERN UTAH FUEL COMPANY,
RESPONDENT

DISCRIMINATION PROCEEDING

Docket No. WEST 83-122-D

MSHA Case No. DENV CD
83-15

ORDER OF DISMISSAL

Before: Judge Merlin

On September 27, 1983, Complainant filed with this Commission a complaint of discrimination under section 105(c) of the Federal Mine Safety and Health Act of 1977. An order was issued on November 22, 1983, to Complainant so that he might show cause why his complaint should not be dismissed for failure to provide certain information. This order was returned to the Commission as "unclaimed" on December 19, 1983.

On January 5, 1984, my law clerk attempted to telephone Complainant in this regard but found the phone was disconnected. A second order to show cause was issued on January 6, 1984. This order was returned to the Commission on January 13, 1984, marked "moved, left no address."

It must be assumed that Complainant has abandoned intent to pursue this discrimination claim. The period allowed for response has expired and no reply has been received from Complainant nor has he been able to be reached.

Accordingly, the case is DISMISSED.

Paul Merlin
Chief Administrative Law Judge