

CCASE:
PATRICK BURNS V. GARY KLINEFELTER (US STEEL)
DDATE:
19880621
TTEXT:

FMSHRC-WDC
JUNE 21, 1988

PATRICK J. BURNS,
Complainant

DISCRIMINATION PROCEEDING

v.

Docket No. PENN 88-4-D
PITT CD 87-10

GARY KLINEFELTER,
(U. S. STEEL COMPANY)
Respondent

ORDER OF DISMISSAL

Before: Judge Merlin

On October 5, 1987, you filed with this Commission a complaint of discrimination under section 105(c) of the Federal Mine Safety and Health Act of 1977.

On this same day you were sent a letter from the Commission informing you of what was needed to be done in order for your complaint to be processed. On January 19 and again on March 23, 1988, my law clerk spoke with the complainant's wife and informed her of what the complainant needed to do so that the complaint could be processed.

Finally on April 20, 1988 a show cause order was issued directing you to provide information regarding your complaint or show good reason for your failure to do so. The show cause was mailed to you certified mail, return receipt requested and the file contains the receipt card indicating you received the show cause order. You have however, not responded and complied with the show cause order.

Accordingly, this case is DISMISSED.

Paul Merlin
Chief Administrative Law Judge

Distribution:

Mr. Patrick J. Burns, Jr., 125 Cumberland Avenue, Masontown, PA 15461
(Certified Mail)

Mr. Gary Klinefelter, Ventilation Foreman, U. S. Steel Mining Company,
Inc., P. O. Box 711, Waynesburg, PA 15370 (Certified Mail)

Mr. Thomas Shumaker, Int'l. H&S Rep., District 4, 32 S. Mains Street,
Masontown, PA 15461 (Certified Mail)