

CCASE:
PHYLLIS PALMIERI V. SOUTHERN OHIO COAL
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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)
Office of Administrative Law Judges

PHYLLIS A. PALMIERI,
COMPLAINANT

DISCRIMINATION PROCEEDING

v.

Docket No. WEVA 88-305-D
MSHA Case No. MORG CD-88-10

SOUTHERN OHIO COAL COMPANY,
RESPONDENT

ORDER OF DISMISSAL

Before: Judge Maurer

By notice issued October 18, 1988, a hearing in the above-captioned proceeding was scheduled to commence on December 21, 1988, at 1:00 p.m., in Morgantown, West Virginia. The complainant, however, failed to appear at the scheduled time and place.

Accordingly, on December 29, 1988, an Order to Show Cause was issued directing the complainant to explain within ten (10) days why she should not be held in default for her failure to appear at the scheduled hearing.

On January 11, 1989, a letter was received from the complainant requesting approval to withdraw her complaint in the captioned case. Under the circumstances herein, permission to withdraw is granted. 29 C.F.R. 2700.11. This case is therefore dismissed.

Roy J. Maurer
Administrative Law Judge