

CCASE:
RICHARD SIERRA v. PHELPS DODGE
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges
The Federal Building
Room 280, 1244 Speer Boulevard
Denver, CO 80204

RICHARD SIERRA,
COMPLAINANT

v.

PHELPS DODGE CORPORATION,
RESPONDENT

DISCRIMINATION PROCEEDING

Docket No. CENT 91-200-DM
SC MD 91-05

Tyrone Branch

ORDER OF DISMISSAL

Before: Judge Morris

On February 18, 1992, the day before a scheduled hearing in El Paso, Texas, Complainant advised the Judge that he intended to withdraw his complaint unless he could have more time to secure the services of an attorney.

The Judge declined to grant more time and Mr. Sierra orally withdrew his complaint due to "financial reasons."

Commission Rule 11, 29 C.F.R. 2700.11 permits a party to withdraw a pleading at any stage of a proceeding with approval of the Commission or the Judge.

In view of Complainant's motion, Counsel for Respondent was advised and the hearing and related arrangements were canceled.

For the foregoing reasons, this case is DISMISSED.

John J. Morris
Administrative Law Judge