

CCASE:
SOL (MSHA) V. WALLACE ENTERPRISES, INC.
DDATE:
19930517
TTEXT:

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES
2 SKYLINE, 10th FLOOR
5203 LEESBURG PIKE
FALLS CHURCH, VIRGINIA 22041

SECRETARY OF LABOR,	:	CIVIL PENALTY PROCEEDINGS
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. LAKE 92-342
Petitioner	:	A.C. No. 12-02090-03502
	:	
v.	:	Docket No. LAKE 92-343
	:	A.C. No. 12-02090-03503
WALLACE ENTERPRISES, INC.,	:	
Respondent	:	Docket No. LAKE 92-344
	:	A.C. No. 12-02090-03504
	:	
	:	Middle Fork Mine

DECISION

Appearances: Rafael Alvarez, Esq., U.S. Department of Labor,
Office of the Solicitor; U.S. Department of Labor,
Chicago, Illinois for Petitioner;
No Appearance for Respondent.

Before: Judge Weisberger

Respondent did not appear at the hearing in these cases that was scheduled for March 16, 1993, and Petitioner made a Motion for Default Decision on March 20, 1993. An Order to Show Cause was issued which inter alia provided as follows:

Therefore, it is ORDERED that within 10 days of this order, Respondent shall, in writing, show cause why a default decision shall not be entered in these cases. If the Respondent does not respond to this order, or fails to establish why a default decision shall not be issued, a decision will be issued ordering Respondent to pay \$1,540 the full penalties proposed by Petitioner in these cases.

Respondent has not responded to the order to show cause. Accordingly, the Motion for Default Decision is GRANTED.

It is ORDERED that the judgment be issued in these cases in favor of Petitioner. It is further ORDERED that Respondent pay \$1,540 the full penalties proposed by Petitioner in these cases.

Avram Weisberger
Administrative Law Judge

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Distribution:

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