CCASE:

JAMES E. DEROSSETT V. M & MB COAL

DDATE: 199406 TTEXT:

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

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

JAMES E. DEROSSETT, : DISCRIMINATION PROCEEDING

Complainant :

v. : Docket No. KENT 94-285-D

:

M & MB COAL COMPANY, : Pike CD 92-16

Respondent

: No. 4 Mine

ORDER OF DISMISSAL

Before: Judge Weisberger

On May 5, 1994, an Order to Show Cause was issued which inter alia, contained the following language "Accordingly, complainant shall, within 10 days of this order, either file a response to the Pre-hearing Order, or file a statement setting forth good cause why the Pre-hearing Order was not complied with. If Complainant does not comply with this Order, a Decision will be issued dismissing the complaint."

Complainant has not complied with this order. Accordingly, it Ordered that this case be DISMISSED.

Avram Weisberger Administrative Law Judge ~1273 Distribution:

Mr. James E. DeRossett, Esq., HC 89, Box 829, Allen, KY 41601 (Certified Mail)

Mr. Marvin Biliter, Jr., 267 Green Road, Stambaugh, KY 41257 (Certified Mail)

M & MB Coal Company, HC 267, Box 6659, Stambaugh, KY 41257 (Certified Mail)

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