

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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 In the Matter of the Petition of: :
 :
 SONIA A. DIXON (T/A DIXON PARALEGAL & :
 EXPEDITING SERVICES, INC., :
 :
 Petitioner, :
 :
 To Review Under Section 101 of the Labor Law: :
 An Order to Comply With Article 6 of the New :
 York Labor Law and an Order Under Article 19 of :
 the New York Labor Law, both dated July 5, 2011, :
 :
 - against - :
 :
 THE COMMISSIONER OF LABOR, :
 :
 Respondent. :
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DOCKET NO. PR 11-287

RESOLUTION OF DECISION

APPEARANCES

Sonia A. Dixon, petitioner *pro se*.

Pico Ben-Amotz, Acting Counsel, NYS Department of Labor, (Larissa C. Bates of counsel), for the respondent.

WHEREAS:

1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 101 and Part 66 of the Industrial Board of Appeals' Rules of Procedure and Practice (Rules) (12 NYCRR Part 66) on September 6, 2011; and
2. The petition was served on respondent on September 29, 2011; and
3. On October 27, 2011, respondent filed a motion to dismiss the petition because it fails to state a cause of action upon which the Board could find the orders to be invalid or unreasonable; and
4. By letter dated November 8, 2011, the Board advised petitioner that it must file a written response on or before December 6, 2011; and

5. As of the date of this decision, the petitioner has not responded to the motion; and
6. The only allegations made in the petition are that the petitioner is facing financial hardship and wants to pay the orders by installments, which are not allegations upon which the Board can find that the orders are invalid or unreasonable; and
7. The petition must, therefore, be dismissed for failing to state a cause of action upon which relief can be granted.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

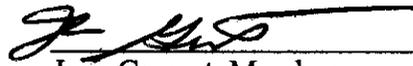
This proceeding be, and the same hereby is, dismissed in accordance with the Board's Rules.



Anne P. Stevason, Chairperson

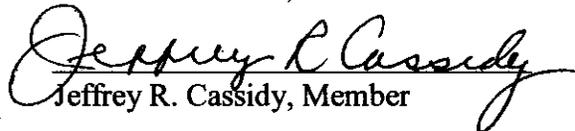


J. Christopher Meagher, Member



Jean Grumet, Member

LaMarr J. Jackson, Member



Jeffrey R. Cassidy, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
May 30, 2012.

5. As of the date of this decision, the petitioner has not responded to the motion; and
6. The only allegations made in the petition are that the petitioner is facing financial hardship and wants to pay the orders by installments, which are not allegations upon which the Board can find that the orders are invalid or unreasonable; and
7. The petition must, therefore, be dismissed for failing to state a cause of action upon which relief can be granted.

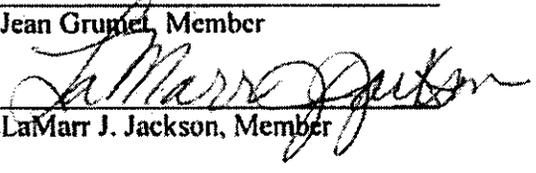
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

This proceeding be, and the same hereby is, dismissed in accordance with the Board's Rules.

Anne P. Stevason, Chairperson

J. Christopher Meagher, Member

Jean Grunel, Member



LaMarr J. Jackson, Member

Jeffrey R. Cassidy, Member

Dated and signed by a Member
of the Industrial Board of Appeals
at Rochester, New York, on
June 4, 2012.