

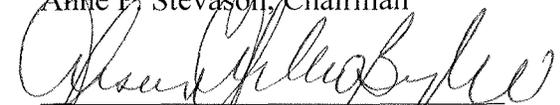
5. By letter dated April 10, 2008, the Board requested a written explanation for the untimely petition. Such explanation was received by the Board on April 24, 2008, and the amended petition along with the Petitioner's explanation was served on the Respondent on April 24, 2008.
6. The Respondent filed a motion to dismiss dated May 27, 2008, alleging that the amended petition must be dismissed as untimely.
7. By letter dated June 6, 2008, the Board required the Petitioner's response to the Respondent's motion, if any, to be received by June 18, 2008. To date, the Petitioner has filed no response.
8. By letter dated June 27, 2008, the Board asked the Petitioner to provide more details of the circumstances surrounding its receipt of the Order by July 11, 2008.
9. On July 10, 2008, the Board received a letter from the Petitioner explaining that he did "not pay any attention to [his] life, mails or business for the period of approximately August 2007 to about February of 2008." Ignoring one's mail does not justify Petitioner's failure to meet the filing deadline imposed by Labor Law § 101.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Order to Comply with Article 19 of the Labor Law, dated November 23, 2007, is hereby affirmed; and
2. The petition is hereby dismissed.



Anne P. Stevason, Chairman



Susan Sullivan-Bisceglia, Member



J. Christopher Meagher, Member



Mark G. Pearce, Member



Jean Grumet, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at New York, New York, on
July 30, 2008.