

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:	:
	:
BRIAN WEBER,	:
	:
Petitioner,	:
	:
	DOCKET NO. PR 17-154
To Review Under Section 101 of the Labor Law:	:
Order to Comply # 17-00290,	:
	<u>RESOLUTION OF DECISION</u>
	:
- against -	:
	:
THE COMMISSIONER OF LABOR,	:
	:
Respondent.	:
-----X	

APPEARANCES

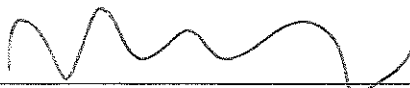
Brian Weber, petitioner pro se.

WHEREAS:

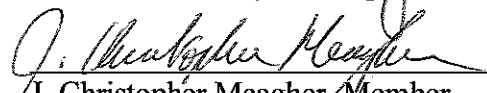
1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 101 and Industrial Board of Appeals Rules of Procedure and Practice (12 NYCRR) Part 66 on October 17, 2017, seeking to appeal order to comply # 17-00290 issued by respondent Commissioner of Labor; and
2. The petition is deficient because the order or orders to be reviewed are not attached, as required by Board Rule (12 NYCRR) § 66.3 (d); and
3. By letter, dated November 13, 2017, the Board notified petitioner that an amended petition that conformed with Board Rule (12 NYCRR) § 66.3 must be filed by December 13, 2017; and
4. Pursuant to Board Rule (12 NYCRR) § 65.14, “the failure to file any pleading pursuant to these rules when due may . . . constitute a waiver of the right to further participation in the proceeding;” and
5. Petitioner has not filed an amended petition as directed by the Board; and
6. The petition, therefore, must be dismissed for failure to comply with Board Rule (12 NYCRR) § 66.3 (d).

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

The petition for review is dismissed in accordance with the Board's Rules.



Vilda Vera Mayuga, Chairperson



J. Christopher Meagher, Member

Michael A. Arcuri, Member



Molly Doherty, Member



Gloribelle J. Perez, Member

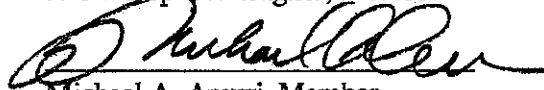
Dated and signed by the Members
of the Industrial Board of Appeals
in New York, New York, on
March 7, 2018.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

The petition for review is dismissed in accordance with the Board's Rules.

Vilda Vera Mayuga, Chairperson

J. Christopher Meagher, Member



Michael A. Arcuri, Member

Molly Doherty, Member

Gloribelle J. Perez, Member

Dated and signed by a Member
of the Industrial Board of Appeals
in Utica, New York, on
March 7, 2018.