

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

ABDELILAH ALAMI BINANI AND
ALANDALOUS PROPERTIES CORP. (T/A
PARIKA ISLAMIC & ARABIC SCHOOL),

Petitioners,

To Review Under Section 101 of the Labor Law:
Order to Comply # 09-00018,

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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DOCKET NO. PR 15-395

RESOLUTION OF DECISION

APPEARANCES

Alami Binani, petitioner pro se, and for Alandalous Properties Corp. (T/A Parika Islamic & Arabic School).

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 (12 NYCRR Part 66) on December 10, 2015, seeking to appeal order to comply # 09-00018 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 66.3 (d); and
3. By letter dated December 17, 2015, the Board notified the petitioners they must file an amended petition that conforms with Board Rule 66.3 by January 17, 2016, or the petition may be dismissed without further notice; and
4. Pursuant to Board Rule 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. Petitioners have not filed an amended petition as directed by the Board; and
6. To the extent petitioners seek review of a judgment entered against them by respondent, we do not have jurisdiction; and

7. The petition, therefore, must be dismissed for failure to comply with Board Rule 66.3 (d).

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

The petition for review be, and the same hereby is, dismissed in accordance with the Board's Rules.



Vilda Vera Mayuga, Chairperson



J. Christopher Meagher, Member



LaMarr J. Jackson, Member

Michael A. Arcuri, Member

Dated and signed by the Members
of the Industrial Board of Appeals
at New York, New York
on March 2, 2016.

7. The petition, therefore, must be dismissed for failure to comply with Board Rule 66.3 (d).

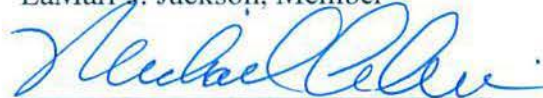
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Michael A. Arcuri, Member

Dated and signed in the Office
of the Industrial Board of Appeals
at Albany, New York, on
March 2, 2016.