STATE OF NEW YORK INDUSTRIAL BOARD OF APPEALS			
In the Matter of the Petition of:		x :	
		:	
BRIAN M. GRANGER,		:	
		:	
Petitioner,		:	
		:	DOCKET NO. PES 19-002
To Review Under Section 101 of the Labor Law:		:	
A Letter Determination dated February 28, 2019,		:	RESOLUTION OF DECISION
		:	
- against -		:	
		:	
THE COMMISSIONER OF LABOR,		:	
		:	
Respo	ondent.	:	
		X	

APPEARANCES

Brian M. Granger, petitioner pro se.

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 (Board Rules) (12 NYCRR Part 66) on March 27, 2019; and
- The petition is deficient because it does not state with specificity the facts that petitioner alleges show that the determination was unreasonable and/or invalid as required by Board Rules § 66.3 (c); and
- 3. By letter dated April 4, 2019, the Board notified petitioner at the address provided by the petitioner, that, by May 6, 2019, he must file an amended petition that conforms with Board Rules § 66.3 and specify any facts showing that the determination was unreasonable and/or invalid, or the petition may be dismissed without further notice; and
- 4. Pursuant to Board Rules § 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 or otherwise responded to the April 4, 2019 letter; and
- 6. The petition, therefore, must be dismissed for failing to comply with Board Rules § 66.3 (c).

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.

Molly Doherty, Chairperson

J. Christopher Meagher, Member

Michael A. Arcuri, Member

Dated and signed by the Members of the Industrial Board of Appeals in New York, New York, on May 29, 2019.

Gloribelle J. Perez, Member