

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

-----X  
In the Matter of the Petition of:

BRIAN WEBER,

Petitioner,

To Review Under Section 101 of the Labor Law:  
Order to Comply # 17-00290,

- against -

THE COMMISSIONER OF LABOR,

Respondent.  
-----X

DOCKET NO. PR 17-154

RESOLUTION OF DECISION

**APPEARANCES**

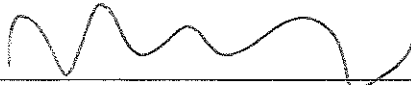
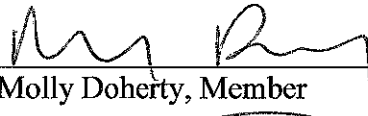
Brian Weber, petitioner pro se.

**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.