

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

JIM HANS,

Petitioner,

To Review Under Section 101 of the Labor Law:
Order to Comply # 14-00585,

- against -

THE COMMISSIONER OF LABOR,

Respondent.
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DOCKET NO. PR 15-378

RESOLUTION OF DECISION

APPEARANCES

Jim Hans, 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 (12 NYCRR Part 66) on November 23, 2015, seeking to appeal order to comply # 14-00585 issued by the 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 8, 2015, the Board notified petitioner that he must file an amended petition that conforms with Board Rule 66.3 by January 8, 2016, or the petition might 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. 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 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.



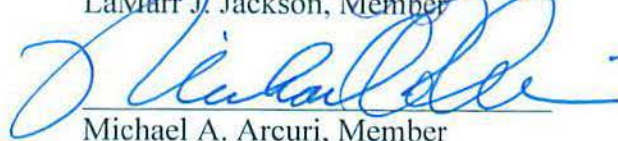
Vilda Vera Mayuga, Chairperson



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 Albany, New York
on January 20, 2016.