

STATE OF NEW YORK
INDUSTRIAL BOARD OF APPEALS

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| In the Matter of the Petition of: | : |
| | : |
| PATRICK HOLIDAY AND DEBRA HOLIDAY | : |
| (T/A COUNTRY COACH CATERING), | : |
| | : |
| Petitioners, | : |
| | : |
| To Review Under Section 101 of the Labor Law: | : |
| Order to Comply # 14-00601, dated July 9, 2014, | : |
| | : |
| - against - | : |
| | : |
| THE COMMISSIONER OF LABOR, | : |
| | : |
| Respondent. | : |
| -----X | |

DOCKET NO. PR 14-253

INTERIM
RESOLUTION OF DECISION

APPEARANCES

Debra Holiday, petitioner *pro se*, and for Patrick Holiday.

WHEREAS:

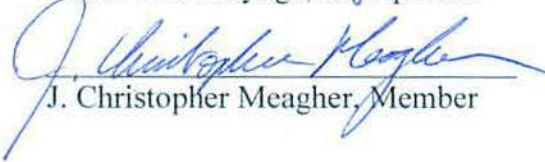
1. The above proceeding was commenced by the filing of a petition for review pursuant to Labor Law § 101 and Part 66 of the Industrial Board of Appeals Rules of Procedure and Practice (12 NYCRR Part 66) on October 23, 2014 seeking to review an order issued by the respondent Commissioner of Labor (Commissioner) against petitioners; and
2. Because the petition did not include a copy of the orders being appealed as required by Board Rule 66.3 (d), the Board directed the petitioner by letter dated October 31, 2014, to file an amended petition by December 1, 2014; and
3. Having received no amended petition, the Board dismissed the proceeding by Resolution of Decision dated March 11, 2015; and
4. By letter dated April 7, 2015, the petitioner notified the Board that she never received the Board’s letter of October 31, 2014 directing her to file an amended petition; and
5. We revoke our Resolution of Decision of March 11, 2015, and direct the petitioner to file an amended petition with the orders for review attached within 30 days of service of this interim decision.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The resolution of decision in this matter dated March 11, 2015 is revoked; and
2. Petitioner is directed to file an amended petition with the orders for review attached within 30 days of service of this interim decision.



Vilda Vera Mayuga, Chairperson



J. Christopher Meagher, Member

LaMarr J. Jackson, Member



Michael A. Arcuri, Member



Frances P. Abriola, Member

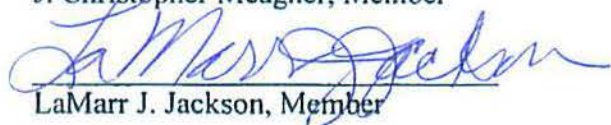
Dated and signed in the Office
of the Industrial Board of Appeals
at Albany, New York, on
April 29, 2015.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The resolution of decision in this matter dated March 11, 2015 is revoked; and
2. Petitioner is directed to file an amended petition with the orders for review attached within 30 days of service of this interim decision.

Vilda Vera Mayuga, Chairperson

J. Christopher Meagher, Member


LaMarr J. Jackson, Member

Michael A. Arcuri, Member

Frances P. Abriola, Member

Dated and signed by a Member
of the Industrial Board of Appeals
at Buffalo, New York, on
April 29, 2015.