

STATE OF NEW YORK  
INDUSTRIAL BOARD OF APPEALS

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In the Matter of the Petition of:

RODOLFO VALENTIN QUIROGA A/K/A  
RODOLFO VALENTIN AND THE NEW YORK  
HAIR SALON INC.,

Petitioners,

To Review Under Section 101 of the Labor Law:  
An Order to Comply dated September 8, 2015,

- against -

THE COMMISSIONER OF LABOR,

Respondent.  
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DOCKET NO. PR 15-320

RESOLUTION OF DECISION

**APPEARANCES**

Rodolfo Quiroga, petitioner *pro se* and for Rodolfo Valentin and The New York Hair Salon Inc.

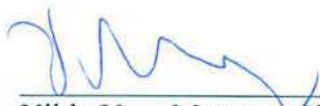
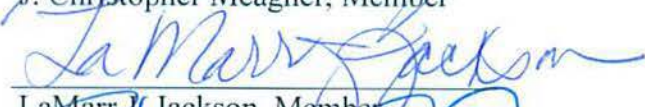
**WHEREAS:**

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 8, 2015, seeking to review an order issued by the respondent Commissioner of Labor on September 8, 2015; 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 October 21, 2015, the Board notified petitioners that they must file an amended petition that conforms with Board Rule 66.3 by November 21, 2015, or the petition might be dismissed without further notice; and
4. By letter dated December 2, 2015, the Board notified petitioners that the Board had yet to receive the required amended petition, that no application for an extension of time to file an amended petition had been received, and that an amended petition must be filed by January 1, 2016, or the petition might be dismissed; and
5. 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

6. Petitioners have not filed an amended petition as directed by the Board; and
7. The petition, therefore, must be dismissed for failing 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.

  
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Vilda Vera Mayuga, Chairperson  
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J. Christopher Meagher, Member  
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LaMarr J. Jackson, Member  
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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  
January 20, 2016.