

CCASE:
METTIKI COAL V. SOL (MSHA)
DDATE:
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TTEXT:

Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

METTIKI COAL COMPANY,
CONTESTANT

CONTEST PROCEEDING

v.

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA),
RESPONDENT

Docket No. YORK 84-11-R
Order No. 2413197; 5/22/84

C-Mine

Appearances: Adrienne J. Davis, Esq., Crowell & Moring,
Washington, D.C., for Contestant;
Covette Rooney, Esq., Office of the Solicitor,
U.S. Department of Labor, Philadelphia, Pennsylvania,
for Respondent.

ORDER OF DISMISSAL

Before: Judge Melick

Following hearings held on October 31, 1984 and January 3, 1985, the Respondent moved to modify the section 104(d)(2) order at bar to a section 104(a) citation. The motion was granted for reasons stated on the record and thereafter the Mettiki Coal Company requested approval to withdraw its Contest in the captioned case. Under the circumstances herein, permission to withdraw is granted. 29 C.F.R. 2700.11. The case is therefore dismissed.

Gary Melick
Assistant Chief Administrative Law Judge