

CCASE:
TENNIS R. DANIELS, v. WOODMAN THREE MINING
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Federal Mine Safety and Health Review Commission
Office of Administrative Law Judges

TENNIS R. DANIELS,
COMPLAINANT

DISCRIMINATION PROCEEDINGS

v.

Docket No. KENT 85-86-D

WOODMAN THREE MINING CO.,
INC.,

PIKE CD 85-02 No. 1 Mine

RESPONDENT

ORDER OF DISMISSAL AND REFERENCE

Before: Judge Kennedy

W. Sidney Trivette, counsel for complainant, having failed to substantiate (1) his excuses for his failure to appear at the hearing in this matter in Paintsville, Kentucky, on Thursday, July 25, 1985, or (2) his failure to file a timely written motion for continuance or dismissal of the captioned matter, it is ORDERED:

1. That the order of July 25, 1985, dismissing this matter be, and hereby is CONFIRMED.
2. That this matter be, and hereby is, REFERRED to the Commission for such action, including the assessment of costs, as it deems appropriate under Rule 80 of the Commission's Rules of Practice.

Joseph B. Kennedy
Administrative Law Judge