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Federal Mine Safety and Health Review Commission (F.M.S.H.R.C.)  
Office of Administrative Law Judges

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

v.

JAMES ROBINSON,  
RESPONDENT

CIVIL PENALTY PROCEEDING

Docket No. WEVA 87-331  
A.C. No. 46-0552-03510

Robinson No. 1 Mine

ORDER OF DISMISSAL

Before: Judge Koutras

Petitioner's motion filed March 31, 1988, to dismiss its civil penalty proposal filed in this case on the ground that the contested citation has been vacated because the cited standard relied on by the inspector was not controlling IS GRANTED, and this matter IS DISMISSED.

George A. Koutras  
Administrative Law Judge