

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION
1730 K STREET, N.W., 6TH FLOOR
WASHINGTON, D. C. 20006-3868

May 7, 1999

SECRETARY OF LABOR	:	CIVIL PENALTY PROCEEDING
MINE SAFETY AND HEALTH	:	
ADMINISTRATION (MSHA),	:	Docket No. CENT 99-162-M
Petitioner	:	A. C. No. 41-02965-05517 FTE
	:	
v.	:	Cleburne Base
FORT WORTH CRUSHED STONE,	:	
INCORPORATED,	:	
Respondent	:	

ORDER TO RESUBMIT PENALTY PETITION

This case is before me upon a petition for assessment of civil penalties under section 105(d) of the Federal Mine Safety and Health Act of 1977. On March 15, 1999, a penalty petition was filed on behalf of the Secretary which was answered by the operator on April 26, 1999.

The penalty petition was filed by an individual who styles herself as a law clerk. I have recently refused to accept penalty petitions and a settlement motion filed by law clerks from this regional office. Phoenix Associates Land Service Inc., 21 FMSHRC _____, (May 3, 1999); Bowen Industries, Inc., Docket No. CENT 98-268-M, 21 FMSHRC _____, (April 26, 1999). The petition filed in this case must be refiled and signed by an attorney in the Office of the Solicitor. Otherwise a show cause order will be issued why this case should not be dismissed for want of prosecution.

In light of the foregoing, it is ORDERED that within 21 days of the date of this order the penalty petition be resubmitted and signed by an attorney in the Office of the Solicitor.

Paul Merlin
Chief Administrative Law Judge

Distribution: (Certified Mail)

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