

# FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

OFFICE OF ADMINISTRATIVE LAW JUDGES  
2 SKYLINE, 10th FLOOR  
5203 LEESBURG PIKE  
FALLS CHURCH, VIRGINIA 22041

January 24, 1996

ORVILLE E. MOORE,	:	DISCRIMINATION PROCEEDING
Complainant	:	
v.	:	Docket No. WEST 95-134-D
	:	
AMAX COAL WEST, INC,	:	DENV CD-95-02
Respondent	:	
	:	Eagle Butte Mine

## ORDER OF DISMISSAL

Appearances: Mr. Orville E. Moore, Alexandria, Louisiana,  
Pro Se;  
R. Henry Moore, Esq., Buchanan Ingersoll, P.C.,  
Pittsburgh, Pennsylvania, for Respondent.

Before: Judge Maurer

At hearing, Complainant, Orville E. Moore, in effect, requested approval to withdraw his complaint in the captioned case, on procedural grounds. He has a parallel case pending with the Equal Employment Opportunity Commission (EEOC) and intends to pursue his remedies under that statute in that forum. Permission to withdraw was accordingly granted at hearing and is herein confirmed. 29 C.F.R. § 2700.11. This case is therefore **DISMISSED**, with prejudice.

Roy J. Maurer  
Administrative Law Judge

Distribution:

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