

CCASE:  
MSHA V. MULLIN CREEK COAL  
DDATE:  
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TTEXT:  
FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION  
WASHINGTON, D.C.  
April 20, 1981  
SECRETARY OF LABOR  
MINE SAFETY AND HEALTH  
ADMINISTRATION (MSHA)

v. Docket No. KENT 81-17-D

MULLIN CREEK COAL CO., INC.  
ORDER

A document entitled "Petition for Full Commission Review of Bench Decision" was filed with the Commission by the operator on April 16, 1981. As of this date, however, the judge has not reduced his bench decision to writing. Accordingly, the petition is dismissed as premature, subject to refiling after the issuance of a written opinion by the judge. (29 USE 823(d)(1), Commission Rule 65(a), Council of Southern Mountains, Inc. v. Martin County Coal Corp., 2 FMSHRC 3216 (November 12, 1980)).

Richard V. Backley,  
Chairman  
Frank F. Jestrab,  
Commissioner  
A. E. Lawson,  
Commissioner  
Marian Pearlman Nease, Commissioner