

CCASE:
MSHA V. JIM WALTER RESOURCES
DDATE:
19870320
TTEXT:

FMSHRC-WDC
March 20, 1987

SECRETARY OF LABOR,
MINE SAFETY AND HEALTH
ADMINISTRATION (MSHA)
ON BEHALF OF ANDY BRACKNER

v. Docket No. SE 86-69-D

JIM WALTER RESOURCES, INC.

ORDER

On March 16, 1987, Jim Walter Resources, Inc. ("JWR") filed with the Commission a petition for discretionary review of the administrative law judge's decision issued February 9, 1987. The petition was untimely filed and contains no explanation for the late filing. Moreover, the petition contains no reasons supporting the assignments of error. Accordingly, the petition for discretionary review is dismissed. Valley Rock and Sand Corp., 2 MSHC 1673 (March 1982); Victor McCoy v. Crescent Coal Co., 2 FMSHRC 1202 (June 1980).

Ford B. Ford, Chairman

Richard V. Backley, Commissioner

Joyce A. Doyle, Commissioner

James A. Lastowka, Commissioner

L. Clair Nelson, Commissioner

~389

Distribution

David M. Smith, Esq.
Maynard, Cooper, Frierson & Gale, P.C.
12th Floor, Watts Bldg.
Birmingham, AL 35203

Ann Rosenthal, Esq.
Office of the Solicitor
U.S. Department of Labor
4015 Wilson Blvd.
Arlington, VA 22203

Administrative Law Judge James Broderick
Federal Mine Safety and Health
Review Commission
5203 Leesburg Pike, Suite 1000
Falls Church, VA 22041