

CCASE:
JOSEPH HERMAN V. IMCO SERVICES
DDATE:
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TTEXT:
FEDERAL MINE SAFETY & HEALTH REVIEW COMMISSION
WASHINGTON, D.C.
January 27, 1983
JOSEPH W. HERMAN

v. Docket No. WEST 81-109-DM

IMCO SERVICES

ORDER

On December 15, 1982, the Commission issued its decision in this case affirming the administrative law judge's dismissal of Joseph W. Herman's discrimination complaint as untimely filed under section 105(c) of the Federal Mine Safety and Health Act of 1977, 30 U.S.C. § 815(c). On January 18, 1983, we received a document filed by Mr. Herman. We construe the document to be a request for reconsideration of the Commission's decision. 29 C.F.R. § 2700.75. We find no merit in the request and, accordingly, it is denied. We note Mr. Herman's request for "an appeal ... to the next judicial court available to me." We can take no action regarding this request. If complainant desires to appeal the Commission's decision to a United States Court of Appeals, the appropriate procedures set forth in section 106(a)(1) of the Act (30 U.S.C. § 816(a)(1)) and the Federal Rules of Appellate Procedure must be followed by him.

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Distribution

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