

COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

MASSACHUSETTS COMMISSION
AGAINST DISCRIMINATION and
ALBA BAEZ,
Complainant

v.

DOCKET NO. 97-BPR-4215

THEOPHILIUS UNAEGBU and
CHRISTINE ONUKWAGWA,
Respondents

DECISION OF THE FULL COMMISSION

On July 3, 2003, Hearing Officer Kenneth Grooms issued a decision in favor of Complainant against Respondent Unaegbu in the above-entitled matter. Respondents were duly notified of the decision and their appeal rights. Respondents filed a Notice of Appeal on July 7, 2003. On August 4, 2003, Respondents filed a letter captioned: Petition for Review. The Petition for Review, in its entirety, stated as follows:

Now comes Theophilus Unaegbu and Christine Onukwagwa, being aggrieved by the decision of Kenneth B. Grooms dated 7/03/03, and received by them on 7/07/03, hereby request that a Review by the full Commission be docketed.

The Commission's Rules of Procedure, 804 CMR 1.23(1)(a), require that an aggrieved party must file a Petition for Review setting forth the following:

- (1) facts showing the appellant to be aggrieved;
- (2) all matters alleged to have been erroneously decided;
- (3) all other matters on which the appellant relies; and
- (4) the relief sought.

Respondents' Petition for Review contained none of the required components and, thus, failed to conform to the requirements of a proper Petition. We, therefore,

conclude that Respondents' appeal shall be dismissed for failure to adhere to the Commission's procedural regulations, 804 CMR 1.23(1)(a), governing the filing of a Petition for Review.

Whereas Respondents have failed to perfect their appeal, the appeal is dismissed. Accordingly, the decision of the Hearing Officer is final and binding.

SO ORDERED, this 8th day of September, 2003.

Dorca I. Gomez,
Chairwoman

Cynthia A. Tucker,
Commissioner