

COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST DISCRIMINATION

MASSACHUSETTS COMMISSION  
AGAINST DISCRIMINATION  
and DONNA GIROUARD,  
Complainant

v.

DOCKET NO. 98-BEM-1130

BEKIRO CORPORATION, d/b/a  
BURGER KING OF BUNKER HILL,  
HALUK BEKIROGLU &  
VIJA BEKIROGLU,  
Respondents

DECISION OF THE FULL COMMISSION

On February 23, 2004, Hearing Officer Judith Kaplan issued a decision in favor of Complainant against Respondents in the above-entitled matter. Respondents were duly notified of the decision and their appeal rights. Respondents filed a Notice of Appeal on March 3, 2004. The notice stated:

Pursuant to 804 CMR 1.23(1)(A) please consider this as the Respondents' "Notice of Appeal" with the Commission, as well as Respondents' Petition for Review with the Commission

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 for purposes of 804 CMR 1.25.

SO ORDERED, this 14<sup>th</sup> day of, April, 2004.

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Dorca I. Gomez,  
Chairwoman

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Cynthia A. Tucker,  
Commissioner