

THE COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST DISCRIMINATION

---

Fred Bailey  
Complainant

v.

DOCKET NO. 04-BEM-00107

Duplitron,  
Respondent

---

DECISION OF THE FULL COMMISSION

On May 22, 2009, Hearing Officer Judith Kaplan issued a decision in favor of Respondent in the above-entitled matter. Complainant was duly notified of the decision and of his right of appeal to the Full Commission. On May 29, 2009, Complainant's counsel filed a Notice of Appeal to the Full Commission.

The Commission's Rules of Procedure at 804 C.M.R. 1.23(1) require that, in addition to a Notice of Appeal, an aggrieved party must file a Petition for Review within 30 days of receipt of the decision of the hearing commissioner or hearing officer, setting forth:

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 to which the appellant believes he is entitled

Complainant has failed to file a Petition for Review as required by 804 C.M.R 1.23. As a result of this failure to perfect his appeal in accordance with Commission regulations, Complainant's appeal is hereby dismissed. Accordingly, the decision of the hearing officer is final and binding and not subject to review pursuant to G.L. c. 30A.

So Ordered this 9th day of September, 2009.

---

Malcolm S. Medley  
Chairman

---

Martin S. Ebel  
Commissioner

---

Sunila Thomas George  
Commissioner

