

THE COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST DISCRIMINATION

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Julie A. Marsian,  
Complainant

v.

DOCKET NO. 96-SEM-0255

Springfield Transit Management, Inc.  
& Transit Express, Inc.,

Respondents

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DECISION OF THE FULL COMMISSION

On February 6, 2006, the Commission issued the Decision of Hearing Commissioner Cynthia Tucker, dated January 27, 2006, in favor of Complainant in the above-entitled matter. Respondents were duly notified of the decision and of their right of appeal to the Full Commission. On February 16, 2006, the Respondents filed a notice of appeal to the Full Commission. On that same day Respondents sought a stay of the Order of the Hearing Commissioner, which was granted on February 23, 2006.

The Commission's Rules of Procedure at 804 C.M.R. 1.23(1) also 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, 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/she is entitled, which relief may be requested in the alternative.

To date the Commission has not received a Petition for Review from Respondents as required by 804 C.M.R 1.23. As a result of this failure to perfect their appeal in accordance with Commission regulations, Respondents' appeal is hereby dismissed. Accordingly, the decision of the hearing officer is final and binding.

So Ordered this 22<sup>nd</sup> day of November, 2006.

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WALTER J. SULLIVAN, JR.  
Commissioner

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CYNTHIA A. TUCKER  
Commissioner