

THE COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST DISCRIMINATION

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M. C. A. D.  
& LABRANCH VALERIUS,  
Complainants

v.

DOCKET NO. 05-BEM-00213

ACUSHNET COMPANY,  
Respondent

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DECISION OF THE FULL COMMISSION

On March 10, 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 his appeal rights. Complainant filed a Notice of Appeal to the Full Commission on March 20, 2009.

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

- (a) facts showing the appellant to be aggrieved;
- (b) All matters alleged to have been erroneously decided;
- (c) all other matters on which the appellant relies and
- (d) the relief sought.

While Complainant filed a timely Notice of Appeal, he has failed to file a timely Petition for Review. We conclude that Complainant's appeal shall be dismissed for failure to comport with the Commission's requirement of filing a timely Petition for Review.

Whereas Complainant has failed to perfect his appeal by filing a timely Petition for Review, the appeal is dismissed. Accordingly, the decision of the hearing officer is final and binding.

SO ORDERED, this 1st day of May, 2009.

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MALCOLM S. MEDLEY,  
Chairman

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SUNILA THOMAS-GEORGE,  
Commissioner

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MARTIN S. EBEL,  
Commissioner