

COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

MASSACHUSETTS COMMISSION)	
AGAINST DISCRIMINATION &)	
MILTON HERNANDEZ)	
Complainant)	
)	
v.)	MCAD Docket No. 95-13-2249
)	
MERRIMACK VALLEY AREA)	
TRANSPORTATION COMPANY AND)	
MERRIMACK VALLEY REGIONAL)	
TRANSIT AUTHORITY)	
Respondents)	

DECISION OF THE FULL COMMISSION

On August 13, 2004, Hearing Officer Helene Horn Figman issued a decision in favor of Respondents in the above-entitled matter. Complainant was duly notified of the decision and his appeal rights. Complainant filed a Notice of Appeal on August 19, 2004.

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.

The Complainant requested by motion, and was granted, a 90 day extension until December 20, 2004 to file a Petition for Review. To date, the Complainant has not filed a 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 25th day of January, 2005.

Walter J. Sullivan, Jr.
Commissioner

Cynthia A. Tucker,
Commissioner