

COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST DISCRIMINATION

MASSACHUSETTS COMMISSION AGAINST  
DISCRIMINATION and NELSON VASQUEZ,  
Complainants

v.

No. 96-SEM-0389

CITY OF HOLYOKE POLICE DEPARTMENT, et al.,  
Respondents

DECISION OF THE FULL COMMISSION

On December 16, 2004, Hearing Commissioner Cynthia Tucker 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 December 30, 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.

While Complainant filed a timely Notice of Appeal, he failed to file a Petition for Review in compliance with the Commission's regulations. 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 Commissioner is final and binding.

SO ORDERED, this 11<sup>th</sup> day of, February 2005.

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Walter J. Sullivan, Jr.  
Commissioner

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Cynthia A. Tucker,  
Commissioner