

COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST DISCRIMINATION

MASSACHUSETTS COMMISSION  
AGAINST DISCRIMINATION &  
SARAH APSEY,  
Complainant

v.

DOCKET NO. 97-BEM-1115

GKA, INC. & DAVID KREUTZER,  
Respondents

DECISION OF THE FULL COMMISSION

On March 22, 2004, Hearing Officer Eugenia Guastaferrri issued a decision in favor of Complainant against Respondents in the above-entitled matter. Respondents were duly notified of the decision and their appeal rights. Respondents filed a Notice of Appeal on April 6, 2004. They have not, to date, filed a petition for review.

The Commission's Rules of Procedure, 804 CMR 1.23(1)(a), require that an aggrieved party must file a Petition for Review within thirty days of receipt of the Hearing Officer's decision setting forth the following:

- (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 sought.

Respondents failed to file the required Petition for Review within the thirty day period. We, therefore, conclude that Respondents' appeal shall be dismissed for failure to adhere to the Commission's procedural regulations, 804 CMR 1.23(1)(a), governing the filing of a Petition for Review.

Whereas Respondents have failed to perfect their appeal, the appeal is dismissed. Accordingly, the decision of the Hearing Officer is final and binding for purposes of judicial enforcement pursuant to M.G.L. c.151B, s.6 and 804 CMR 1.25.

SO ORDERED, this 21<sup>st</sup> day of, May 2004.

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Dorca I. Gomez,  
Chairwoman

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Cynthia A. Tucker,  
Commissioner

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Walter J. Sullivan, Jr.  
Commissioner