

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

MASSACHUSETTS COMMISSION
AGAINST DISCRIMINATION,
ERIC ZUPKA & IEVA MATULIONYTE
Complainants

v.

DOCKET NO. 08-BPR-01770

HILARIAN FERNANDEZ,
Respondent

DECISION OF THE FULL COMMISSION

On April 13, 2010, Hearing Officer Judith Kaplan issued a decision in favor of the Respondent in the above-entitled matter and dismissed the complaint. Complainants were duly notified of the decision and of their right of appeal to the Full Commission. On April 22, 2010, Complainants filed a notice of appeal to the Full Commission.

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

Complainants have failed to file a timely Petition for Review as required by 804 C.M.R
1.23. Complainants' appeal is hereby dismissed for failure to perfect their appeal in
accordance with Commission regulations. Accordingly, the decision of the hearing officer is
final and binding.

So Ordered this 21st day of December, 2010.

Julian Tynes
Chairman

Sunila Thomas-George
Commissioner

Jamie Williamson
Commissioner