

THE COMMONWEALTH OF MASSACHUSETTS
COMMISSION AGAINST DISCRIMINATION

M. C. A. D. &
SVITLANA KUBASHKO,
Complainants

v.

DOCKET NO. 07-BEM-00098

FAMILY CARE EXTENDED, INC.,
Respondent

DECISION OF THE FULL COMMISSION

On August 5, 2010, Hearing Officer Judith Kaplan issued a decision in favor of Complainant in the above-entitled matter. Respondent was duly notified of the decision and its appeal rights. Respondent filed a Notice of Appeal to the Full Commission on August 19, 2010. 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 Respondent filed a timely Notice of Appeal, it has failed to file a timely Petition for Review. We conclude that Respondent's appeal shall be dismissed for failure to comport with the Commission's requirement of filing a timely Petition for Review.

Whereas Respondent has failed to perfect its 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 20th day of December 2010

JULIAN T. TYNES,
Chairman

SUNILA THOMAS-GEORGE,
Commissioner

JAMIE R. WILLIAMSON,
Commissioner