



Issue Date: 16 November 2021

OALJ Case No.: 2021-STA-00060

OSHA Case No.: 4-0520-19-099

In the Matter of:

DANIEL WALLING,
Complainant,

v.

LMR COMPANIES (SEC AUTO TRANSPORT and
LMR TRUCKING, INCORPORATED),
Respondent.

ORDER DISMISSING COMPLAINT

This matter arises from a complaint filed under the provisions of Section 31105 of the Surface Transportation Assistance Act of 1982, U.S. Code, Title 49, § 31105, as amended by the Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. No. 110-53 (“STAA”) and is governed by the implementing Regulations found in the Code of Federal Regulations, Title 29, Part 1978. Per 29 CFR §1978.107, the proceeding will be held in a manner consistent with the procedural rules set forth in federal regulations at 29 CFR Part 18, Subpart A (29 CFR §18.10 to §18.95).

Complainant’s counsel recently moved to withdraw as counsel, the court granted his motion, and Complainant is now representing himself as a pro se or self-represented litigant. .

On 10/25/2021, the court issued an Order for Complainant to send a status letter to the court advising how he planned to proceed by 11/12/2021. He was ordered to submit his contact information, state whether he is proceeding or withdrawing, state whether is he interested in mediating, whether he is representing himself, or obtaining another attorney with that attorney’s contact information.

Complainant failed to comply with the court’s order. Complainant did not respond to the court. Complainant did not contact the court. As the Complainant has failed to comply with the court’s order or shown good cause for this failure, the court finds that the instant complaint should be **DISMISSED**. The Secretary’s Findings are final, and the Complaint is dismissed.

ORDER

Accordingly, **IT IS HEREBY ORDERED** that the complaint of Daniel Walling is **DISMISSED** with prejudice.¹

SO ORDERED.

Dana Rosen
Administrative Law Judge

¹ Definition: barred from filing another case on the same claim.