



**In the Matter of:**

**DEVELOPMENT RESOURCES, INC.**

**ARB CASE NO. 02-046**

**DATE: April 12, 2002**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**Appearances:**

*For the Administrator:*

Eugene Scalia, Esq., Steven J. Mandel, Esq., Douglas J. Davidson, Esq.,  
Marva M. Peace-Jackson, Esq., *U. S. Department of Labor, Washington, DC*

*For Development Resources Inc.:*

Richard I. Manas, Esq., *Oppenheimer, Blend, Harrison & Tate, San Antonio, Texas*

**ORDER**

Development Resources, Inc. (DRI), asks by letter dated April 3, 2002, that a brief submitted to this office by DRI on April 2, 2002, be filed and considered in the above-captioned case. On March 21, 2002, this Board denied DRI's earlier request for an extension of time to file a brief and advised DRI that its March 4, 2002 response to the Administrator's determination in this case had been filed and construed as DRI's brief on review. According to DRI, the Board's March 21 correspondence crossed in the mail with DRI's April 3 letter.

We construe DRI's April 3 letter as a Motion for Leave to File a Brief Out of Time. Inasmuch as DRI has identified no extraordinary circumstances to warrant acceptance of its untimely brief notwithstanding our earlier order, the motion is **DENIED**.

**SO ORDERED.**

**JUDITH S. BOGGS**

Administrative Appeals Judge

**WAYNE C. BEYER**

Administrative Appeals Judge

**OLIVER M. TRANSUE**

Administrative Appeals Judge