



THERON K. CARTER,

ARB CASE NO. 12-060

COMPLAINANT,

ALJ CASE NO. 2011-STA-036

v.

DATE: May 15, 2012

**TITAN TRANSPORTATION SERVICES,
INC.,**

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

**NOTIFICATION TO PARTIES THAT CASE
HAS NOT BEEN ACCEPTED FOR REVIEW**

On April 4, 2012, the Complainant, Theron Carter, filed an appeal from a Department of Labor Administrative Law Judge's Decision and Order Dismissing Claim with the Administrative Review Board in this case arising under the Surface Transportation Assistance Act.¹ The Secretary of Labor has delegated her authority to consider an appeal of an Administrative Law Judge's order in a STAA case to the Administrative Review Board.²

¹ 49 U.S.C.A. § 31105 (Thomson/West Supp. 2011)(STAA). The STAA's implementing regulations are found at 29 C.F.R. Part 1978 (2011).

² Secretary's Order No. 1-2010 (Delegation of Authority and Assignment of Responsibility to the Administrative Review Board), 75 Fed. Reg. 3924 (Jan. 15, 2010); 29 C.F.R. § 1978.110.

The STAA's implementing regulations provide that the Board must notify the parties and the Administrative Law Judge (ALJ) within 30 calendar days if the Board determines that it will review the ALJ's decision.³ The Board issued no such order in this case. Accordingly, the parties are notified that the case has not been accepted for review. Furthermore, the ALJ's March 2, 2012 Decision and Order has become the final order of the Department of Labor.⁴

FOR THE ADMINISTRATIVE REVIEW BOARD:

Janet R. Dunlop
General Counsel

Note: Questions regarding any case pending before the Board should be directed to the Board's Paralegal Specialist. Juanetta Walker - Telephone: (202) 693-6200
Facsimile: (202) 693-6220

³ 29 C.F.R. § 1978.110(b).

⁴ *Id.*