

**U.S. Department of Labor**

Office of Administrative Law Judges  
90 Seventh Street, Suite 4-800  
San Francisco, CA 94103-1516

(415) 625-2200  
(415) 625-2201 (FAX)



**Issue Date: 26 June 2017**

CASE NO. 2016-FRS-00065

*In the Matter of*

**ISSIAC DICKENS,**  
Complainant,

v.

**BNSF RAILWAY COMPANY,**  
Respondent.

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

On June 23, 2017, Complainant notified this Office that he intends to file this action in the United States District Court. *See* 49 U.S.C. § 20109(d)(3). As Complainant has met the statutory and regulatory requirements to bring his action *de novo* in the district court and has stated his intent to do so, this matter is DISMISSED without prejudice to Complainant's pursuing the matter in the district court. *See id.*; 29 C.F.R. §1982.114. The complainant must file and serve a file-stamped copy of the district court complaint with this Office promptly after he files it with the district court. *See* 29 C.F.R. §1982.114(b). The hearing set for July 24, 2017, in Seattle, Washington is VACATED.

SO ORDERED.

STEVEN B. BERLIN  
Administrative Law Judge