

**U.S. Department of Labor**

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**Issue Date: 13 August 2012**

Case No.: 2012-STA-00024

In the Matter of

**HOSS DAHI**

Complainant

v.

**SUMTER TRANSPORT**

Respondent

**ORDER APPROVING WITHDRAWAL  
OF APPEAL AND DISMISSING CLAIM**

This proceeding arises under the employee protection provisions of the Surface Transportation Assistance Act of 1982 (STAA), 49 U.S.C. § 31105, and the regulations promulgated thereunder at 29 C.F.R. Part 1978.

On July 27, 2012, *pro se* Complainant filed his “Notice of Withdrawal of Appeal of Captioned Case.” This Notice asserts, in part, that his previous correspondence has been ignored and that he intends to pursue the allegations he has raised in the instant matter by filing a civil action in federal district court. Notice at 1.

No response has been received from Respondent and the deadline for such a response has passed; I therefore presume there are no objections.

Twenty-nine C.F.R. § 1978.111(c) governs withdrawals of STAA complaints and provides that, “at any time before the findings and order becomes final, a party may withdraw his objections to the findings or order by filing a written withdrawal with the administrative law judge” who shall determine whether to affirm any portion of the findings or preliminary order or to approve the withdrawal.

No final decision has been issued in this matter. Because Respondent has no objections, Complainant’s request for withdrawal is hereby accepted and, consistent with the regulation, the Secretary’s findings are **AFFIRMED** in their entirety, and the above-captioned matter is hereby **DISMISSED** with prejudice.

The formal hearing presently scheduled to commence on September 24, 2012, in New York City is **CANCELED**.

**A**

**LYSTRA A. HARRIS**  
Administrative Law Judge

Cherry Hill, New Jersey