In the Matter of:

TOD N. ROCKEFELLER,  
COMPLAINANT, 

v. 

CARLSBAD FIELD OFFICE,  
U.S. DEPARTMENT OF ENERGY,  

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

ORDER DISMISSING APPEAL AND REMANDING CASE


The Secretary and the Administrative Review Board have held many times that interlocutory appeals are generally disfavored, and that there is a strong policy against piecemeal appeals. See e.g., Amato v. Assured Transportation and Delivery, Inc., ARB Case No. 98-167, ALJ Case No. 98-TSC-6 (ARB Jan. 31, 2000); Hasan v. Commonwealth Edison Co., ARB Case No. 99-097; ALJ Case No. 99-ERA-17 (ARB Sept. 16, 1999); Carter v. B & W Nuclear Technologies, Inc., ALJ Case No. 94-ERA-13 (Sec’y Sept. 28, 1994). Accordingly, on February 19, 2002, the Board ordered Rockefeller to show cause why the Board should not dismiss his petition for review as interlocutory and remand this case to the Administrative Law Judge (ALJ) to complete his adjudication of the case.

This appeal has been assigned to a panel of two Board members, as authorized by Secretary’s Order 2-96. 61 Fed. Reg. 19,978 §5 (May 1996).
On February 25, 2002, Rockefeller, responding to the show cause order, agreed that the Board should dismiss the petition for review and remand the case to the ALJ for further adjudication. Thus, given that interlocutory appeals are not favored and Rockefeller’s agreement that his appeal should be dismissed, we **DISMISS** this appeal and **REMAND** the case to the ALJ for further adjudication.

**SO ORDERED.**

M. CYNTHIA DOUGLASS  
Chief Administrative Appeals Judge

JUDITH S. BOGGS  
Administrative Appeals Judge