

**U.S. Department of Labor**

**Administrative Review Board  
200 Constitution Ave. NW  
Washington, DC 20210-0001**



**IN THE MATTER OF:**

**JON DeVOE,**

**ARB CASE NO. 2025-0056**

**COMPLAINANT,**

**ALJ CASE NO. 2024-STA-00090**

**ALJ WILLIAM P. FARLEY**

**v.**

**DATE: June 17, 2025**

**PREMIER TRUCKING LLC,**

**RESPONDENT.**

**Before JOHNSON, Chief Administrative Appeals Judge, and THOMPSON,  
Administrative Appeals Judge**

**ORDER OF ADMINISTRATIVE CLOSURE**

This case arises under the Surface Transportation Assistance Act of 1982 (STAA), as amended.<sup>1</sup> Complainant Jon DeVoe filed a complaint against Respondent Premier Trucking, LLC alleging Respondent violated the employee protection provisions of STAA. On April 24, 2025, a United States Department of Labor Administrative Law Judge (ALJ) issued a Decision and Order Denying Complaint (D. & O.).

Any party seeking review of an ALJ decision “must file a written petition for review with the” Administrative Review Board (ARB or Board) “within 14 days of the date of the decision of the ALJ.”<sup>2</sup> Accordingly, Complainant had until May 8, 2025, to file a timely petition for review with the ARB.

On May 5, 2025, Complainant filed a “Motion for more time to Appeal” (Motion for Extension) with the ARB, and the case was administratively assigned

---

<sup>1</sup> 49 U.S.C. § 31105(a), as implemented by the regulations at 29 C.F.R. Part 1978 (2024).

<sup>2</sup> 29 C.F.R. § 1978.110(a). In addition, the Secretary of Labor has delegated authority to the ARB to consider petitions for review under the STAA. Secretary’s Order No. 01-2020

ARB Case Number 2025-0056. In the Motion for Extension, Complainant requested an extension of time of sixty days to file a petition for review of the D. & O., noting that he could only work on it on the weekends.<sup>3</sup>

On May 9, 2025, the ARB issued an Order Granting Complainant's Motion for Extension in Part (Extension Order), allowing Complainant until June 9, 2025 to file a petition for review. However, the ARB cautioned that "[n]o further requests for an extension of time will be granted, and that this matter may be administratively closed without further notice if Complainant does not file a Petition for Review by the deadline."<sup>4</sup>

Complainant did not file a petition for review by June 9, 2025, as required by the ARB's Extension Order. Furthermore, to date, Complainant has not filed any additional communications with the ARB. Thus, Complainant has not filed a petition for review of the ALJ's D. & O. Given Complainant's failure to comply with the ARB's Extension Order and the requirement to file a petition for review under 29 C.F.R. § 1978.110(a), the Board orders that this matter be administratively closed.<sup>5</sup>

If either party is dissatisfied with this Order of Administrative Closure, the dissatisfied party may file a reconsideration motion with the Board.<sup>6</sup> We note the Board grants reconsideration under limited circumstances when a movant has demonstrated: (i) material differences in fact or law from those presented to the Board of which the moving party could not have known through reasonable diligence, (ii) new material facts that occurred after the Board's decision, (iii) a change in the law after the Board's decision, or (iv) failure to consider material facts

---

(Delegation of Authority and Assignment of Responsibility to the Administrative Review Board), 85 Fed. Reg. 13,186 (Mar. 6, 2020).

<sup>3</sup> Motion for Extension at 1.

<sup>4</sup> *Id.*

<sup>5</sup> *Hope v. Performance Food Serv. Corp.*, ARB No. 2024-0031, ALJ No. 2023-STA-00080, slip op. at 2 (ARB Apr. 30, 2024) (Order of Administrative Closure) (administratively closing case because complainant's filing did not constitute a petition for review).

<sup>6</sup> A party may move the ARB to reconsider its decision upon the filing of a motion for reconsideration within a "reasonable time" of the date on which the Board issued decision. *DeBuse v. Corr Flight S.*, ARB No. 2023-0066, ALJ No. 2020-AIR-00015, slip op. at 2 (ARB Feb. 28, 2025) (Order Denying Reconsideration) (citation omitted). In applying this timeliness requirement, the Board has presumed a motion for reconsideration is timely when the motion was filed within a short time after the decision. *Id.* (citation omitted). The Board has also "granted reconsideration where a petition, though filed after a longer period, raised [Federal Rule of Civil Procedure] Rule 60(b)-type grounds or showed 'good cause' for the delay." *Id.* at 2-3 (citation omitted).

presented to the Board before its decision.<sup>7</sup> The foregoing circumstances are not exclusive, and a complainant's inability to satisfy one is not necessarily fatal to a reconsideration motion.<sup>8</sup>

**SO ORDERED.**

**RANDEL K. JOHNSON**  
**Chief Administrative Appeals Judge**

**ANGELA W. THOMPSON**  
**Administrative Appeals Judge**

---

<sup>7</sup> *Kossen v. Empire Airlines*, ARB No. 2022-0004, ALJ No. 2019-AIR-00022, slip op. at 2 (ARB July 19, 2023) (Order Denying Reconsideration) (citation omitted).

<sup>8</sup> *Cooley v. Misa Imports Inc.*, ARB No. 2025-0005, ALJ No. 2024-SOX-00037, slip op. at 3 (ARB Jan. 22, 2025) (quotations omitted) (Order Granting Reconsideration, Vacating Decision and Order Dismissing Petition for Review, and Reestablishing Briefing Schedule) (granting reconsideration in part because the Board's orders were not "brought to the counsel's attention.").