



IN THE MATTER OF:

AUNDRE TERRELL,

ARB CASE NO. 2021-0049

COMPLAINANT,

ALJ CASE NO. 2021-STA-00026

v.

DATE: July 23, 2021

**J-MAX TRANSPORTATION
SERVICES, INC.,**

RESPONDENT.

Appearances:

For the Complainant:

**Collin H. Nyeholt; *Law Offices of Casey D. Conklin, PLC*; Okemos,
Michigan**

For the Respondent:

**Tania E. Fuller, Esq.; *Fuller Law and Counseling, P.C.*; Grand Rapids,
Michigan**

**Before: James D. McGinley, *Chief Administrative Appeals Judge* and
Thomas H. Burrell, *Administrative Appeals Judge***

**ORDER APPROVING WITHDRAWAL OF COMPLAINANT'S
PETITION FOR REVIEW AND DISMISSING APPEAL**

PER CURIAM. On June 28, 2021, a Department of Labor Administrative Law Judge (ALJ) issued a Decision and Order Granting Summary Decision in this case arising under the employee protection provisions of the Surface Transportation

Assistance Act of 1982 (“STAA” or the “Act”), and its implementing regulations.¹ On July 2, 2021, Complainant filed a Petition for Review with the Administrative Review Board (Board) requesting a review of the ALJ’s ruling.

On July 22, 2021, the Board received Complainant’s Motion to Withdraw Petition for Review. Pursuant to the STAA regulations, “a party may withdraw a petition for review of an ALJ’s decision at any time before that decision becomes final by filing a written withdrawal with the ARB.”² Accordingly, we **GRANT** Complainant’s request to withdraw the Petition for Review and **DISMISS** the appeal.

SO ORDERED.

NOTE: Questions regarding any case pending before the Board should be directed to the Board’s staff. Telephone: (202) 693-6200, Facsimile: (202) 693-6220

¹ 49 U.S.C. § 31105(a) (2007); 29 C.F.R. Part 1978 (2020).

² 29 C.F.R. §1978.111(c). This provision further states that “[i]f the ARB approves a request to withdraw a petition for review of an ALJ decision, and there are no other pending petitions for review of that decision, the ALJ’s decision will become the final order of the Secretary.”