



In the Matter of:

**H.V. COLLINS CO.,**

**General Contractor**

**ELCO ENTERPRISE PAINTING and**

**GENERAL CONTRACTING, INC,**

**STEVEN ELLIOTT, President**

**ARB CASE NO. 97-134**

**(ALJ CASE NO. 95-DBA-24)**

**DATE:** September 5, 1997

**ORDER OF DISMISSAL**

On August 26, 1997, the Board issued a Notice of Appeal and Order Establishing Briefing Schedule in the captioned matter. On August 11, 1997 the Office of Administrative Law Judges issued an Order Vacating Consent Findings and Second Notice of Hearing and Prehearing Order (Order). This Order was not received by the Petitioner H.V. Collins Company prior to mailing the Petition for Review; nor was the Board notified of the Order prior to August 26, 1997. On August 19, 1997, Petitioner filed a document entitled "Withdrawal of Petition for Review" with the Board. The notice withdrawing the Petition was received by the Board on August 29, 1997. For good cause shown, it is hereby **Ordered**, that this matter is **dismissed without prejudice**.

**SO ORDERED.**

**DAVID A. O'BRIEN**

Chair

**KARL J. SANDSTROM**

Member

**JOYCE D. MILLER**

Alternate Member