



United States of America
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
1120 20th Street, N.W., Ninth Floor
Washington, DC 20036-3457

SECRETARY OF LABOR,

Complainant,

v.

ANGELICA TEXTILE SERVICES, INC.,
Respondent.

OSHRC Docket No. 08-1774

DISMISSAL ORDER

This case is on remand from the United States Court of Appeals for the Second Circuit. *Sec’y of Labor v. Angelica Textile Services, Inc.*, No. 18-2831 (2d Cir. July 20, 2020). The Second Circuit dismissed the Secretary’s appeal as moot under Article III of the United States Constitution because (1) Respondent “filed for Chapter 11 bankruptcy” while the case was pending before the Commission; (2) the Secretary failed to “file a proof of claim before the bar date for government claims” in the bankruptcy proceeding; and (3) Respondent did “not appear[] through counsel in this matter and is in default on appeal.” *Id.*, slip op. at 2; U.S. Const. art. III, § 2, cl. 1. The Second Circuit also vacated the Commission’s decision as moot and remanded with instructions to dismiss the case. *Angelica*, No. 18-2831, slip op. at 2-3. In accordance with the mandate filed on July 20, 2020, this case is dismissed.

SO ORDERED.

BY DIRECTION OF THE COMMISSION

Dated: July 27, 2020

/s/

John X. Cerveny
Executive Secretary