

**La MIRAGE BUILDERS, INC**

**CONTRACT NO. V527C-720**

**VABCA-3855**

**VA MEDICAL CENTER  
BROOKLYN, NEW YORK**

*Angelo Petrakis*, President, La Mirage Builders, Inc., Richmond Hill, New York, for the Appellant.

*Paul A. Embroski, Esq.*, Trial Counsel, Office of General Counsel, Washington, D.C., for the Department of Veterans Affairs; *William E. Thomas, Jr. Esq.*, Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Deputy Assistant General Counsel, of Counsel.

### **ORDER DISMISSING APPEAL WITH PREJUDICE**

By Order, dated March 10, 1994, the Board ordered Appellant to show cause, by March 25, 1994, why this appeal should not be dismissed with prejudice pursuant to Rule 31 because of Appellant's continued failure to comply with the Board's Orders pertaining to the processing of this appeal. Appellant has not responded to the Board's Order.

The Board's March 10 Order to Show Cause referenced various Orders of the Board, beginning December 10, 1993, with which Appellant had failed to comply. Under Rule 31, the Board may take appropriate action, including dismissal of an appeal with prejudice for failure to prosecute an appeal, if an appellant fails to show cause why an appeal should not be dismissed for its failure to comply with the Board's Orders.

Appellant, La Mirage Builders, Inc., has consistently failed to comply with the Board's Orders and has failed to show cause why this appeal should not be dismissed pursuant to Rule 31.

Accordingly, the appeal of La Mirage Builders, Inc., under Contract No. V527C-720, VABCA No. 3855, is hereby **DISMISSED WITH PREJUDICE** pursuant to Rule 31.

**IT IS SO ORDERED**

**DATE: April 1, 1994**

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RICHARD W. KREMPASKY  
Presiding Judge

We Concur.

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GUY H. McMICHAEL III  
Chief Administrative Judge

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MORRIS PULLARA, Jr.  
Administrative Judge