



In the Matter of:

**KEVIN R. DOODY,**

**ARB CASE NO. 00-051**

**COMPLAINANT,**

**ALJ CASE NO. 97-ERA-43**

**v.**

**DATE: July 26, 2001**

**CENTERIOR ENERGY, et al.,**

**RESPONDENT.**

**BEFORE: THE ADMINISTRATIVE REVIEW BOARD**

**Appearances:**

*For the Complainant:*

Kevin R. Doody, *Pro se, Perry, Ohio*

*For the Respondent:*

Richard P. Goddard, Esq., *Calfee, Halter & Griswold., Cleveland Ohio*

**FINAL ORDER**

This appeal arose when Kevin R. Doody petitioned the Administrative Review Board to review an Administrative Law Judge's Recommended Decision and Order dismissing Doody's complaint under the Energy Reorganization Act, 42 U.S.C.A. §5851 (1995). Doody subsequently filed with the Board a "Complainant's Notice of Dismissal" which states, "[b]y agreement of the parties, Complainant hereby dismisses the within cause, with prejudice, each party to bear their own costs."

Construing Doody's Notice as a Motion for Voluntary Dismissal, *see* Fed. R. App. P. 42(b), we **GRANT** the Motion and **DISMISS** this case **WITH PREJUDICE**.

**SO ORDERED.**

**PAUL GREENBERG**

Chair

**E. COOPER BROWN**

Member

**RICHARD A. BEVERLY**

Alternate Member