

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)
FRANK GONZALEZ, III,)
Complainant,)
and)
MAUI POLICE DEPARTMENT,)
County of Maui,)
Respondent.)

CASE NO. CE-12-271
ORDER NO. 1432
ORDER GRANTING WITHDRAWAL
OF PROHIBITED PRACTICE COM-
PLAINTS

In the Matter of)
FRANK GONZALEZ, III,)
Complainant,)
and)
STATE OF HAWAII ORGANIZATION OF)
POLICE OFFICERS (SHOPO),)
Respondent.)

CASE NO. CU-12-111

ORDER GRANTING WITHDRAWAL OF PROHIBITED PRACTICE COMPLAINTS

The Board previously scheduled a prehearing conference in this matter on March 31, 1997. On March 25, 1997, Complainant FRANK GONZALEZ, III, filed a letter with the Board stating that he is unable to proceed with his case because he has been unable to retain an attorney to represent him. Alternatively, he requested that the Board investigate the instant complaints. He further indicated that if investigation of the complaints was not possible, that he did not want to pursue these complaints any further.

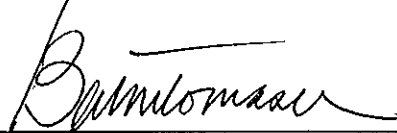
Section 377-9, Hawaii Revised Statutes (HRS), made applicable to the Board pursuant to § 89-14, HRS, provides that in

prohibited practice cases, the Complainant has the burden to prove his or her allegations by a preponderance of evidence. Thus, Complainant is required to present evidence and arguments to the Board regarding his complaints. If Complainant is unable to retain counsel, he has the option of proceeding before this Board on his own. However, as Complainant is unwilling to proceed to hearing on these complaints, the Board will treat Complainant's correspondence as a motion withdrawing his complaints.

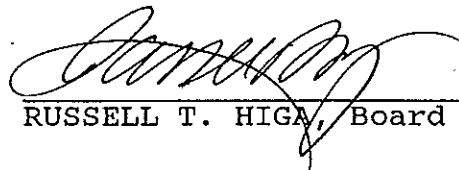
Based upon the foregoing, the Board hereby grants Complainants withdrawal of the instant complaints.

DATED: Honolulu, Hawaii, April 1, 1997.

HAWAII LABOR RELATIONS BOARD



BERT M. TOMASU, Chairperson



RUSSELL T. HIGA, Board Member



CHESTER C. KUNITAKE, Board Member

Copies sent to:

Frank Gonzalez, III
David Gierlach, Esq.
Howard M. Fukushima, Deputy Corporation Counsel
Joyce Najita, IRC