



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED FOR FAILURE TO PROSECUTE: October 18, 2007

CBCA 714

DALE D. BARNETT,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Dale D. Barnett, pro se, Coosada, AL.

Gabriel N. Steinberg, Office of Regional Counsel, General Services Administration,
Atlanta, GA, counsel for Respondent.

Before Board Judges **STERN**, **BORWICK**, and **McCANN**.

STERN, Board Judge.

ORDER

Appellant, Dale D. Barnett, filed this appeal on April 23, 2007, from the decision of a contracting officer of the General Services Administration (GSA) assessing appellant liquidated damages in the amount of twenty percent of his bid of \$2675 at a GSA auction. Appellant allegedly bid on merchandise at the auction, but failed to retrieve the property and make payment.

The Board docketed the appeal on April 24, 2007. An order on further proceedings was sent to the parties on April 26, 2007. Respondent filed its appeal file on May 22, 2007.

Appellant has not filed its complaint. In addition, in order to schedule proceedings, the Board made numerous attempts to place a conference call. The Board has been unable to contact appellant at the telephone number provided to the Board.

By letter dated July 31, 2007, the Board advised appellant of the Board's inability to contact him. Appellant was asked to contact the Board immediately. No response was received from appellant.

On September 4, 2007, the Board issued an order to show cause to appellant. Appellant was ordered to show cause within fourteen days why the appeal should not be dismissed for failure to prosecute. Appellant has failed to respond to this order.

In accordance with Board Rule 12, the appeal is **DISMISSED FOR FAILURE TO PROSECUTE**.

JAMES L. STERN
Board Judge

We concur:

ANTHONY S. BORWICK
Board Judge

R. ANTHONY McCANN
Board Judge