STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

IN THE MATTER OF:	)		
	)		
TASHIKA SNORTON,	)		
	)		
	)		
Complainant,	)	CHARGE NO(S):	2005CF1417
	)	EEOC NO(S):	21BA60547
and	)	ALS NO(S):	07-017
	)		
ILLINOIS STATE TOLL HIGHWAY AUTHORITY,	)		
	)		
	)		
	)		
Respondent.	)		

NOTICE

You are hereby notified that the Illinois Human Rights Commission has not received timely exceptions to the Recommended Order and Decision in the above named case. Accordingly, pursuant to Section 8A-103(A) and/or 8B-103(A) of the Illinois Human Rights Act and Section 5300.910 of the Commission's Procedural Rules, that Recommended Order and Decision has now become the Order and Decision of the Commission.

STATE OF ILLINOIS)
HUMAN RIGHTS COMMISSION) Entered this 17th day of March 2009

N. KEITH CHAMBERS
EXECUTIVE DIRECTOR

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

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	)	**Charge No.: 2005CF1417**
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ILLINOIS STATE TOLL HIGHWAY	)	
AUTHORITY,	)	
Respondent.	)	

RECOMMENDED ORDER AND DECISION

On January 11, 2007, Complainant, Tashika Snorton, filed a complaint on her own behalf against Respondent, Illinois State Toll Highway Authority That complaint alleged that Respondent discriminated against Complainant on the bases of her race and sex when it paid her unequal wages, suspended her, and then discharged her. The complaint further alleged that Respondent unlawfully retaliated against Complainant when she complained of sex and race discrimination.

This matter now comes on to be heard on Respondent's Motion to Dismiss for Want of Prosecution. Although Complainant's counsel was served with a copy of the motion, no response to the motion was filed. Moreover, nobody appeared on Complainant's behalf at the hearing on the motion The matter is ready for decision.

The Illinois Department of Human Rights is an additional statutory agency that has issued state actions in this matter. The department is therefore named as an additional party of record.

FINDINGS OF FACT

The following facts were derived from the record file in this matter.

1. The complaint in this matter was properly served by certified mail.

2. On May 1, 2007, an attorney entered an appearance in this matter on Complainant's behalf.

3. On July 10, 2007, Complainant's attorney appeared for oral arguments on a motion to dismiss brought by Respondent. That motion was denied in a written order entered on January 7, 2008.

4. The January 7, 2008 order set a new status date of February 5, 2008. The order was served by mail upon Complainant's attorney.

5. On January 16, 2008, Respondent filed a Motion to Reconsider and Vacate and set the motion for hearing on the February 5 status date. That motion was served upon Complainant's attorney by mail.

6. Nobody appeared on Complainant's behalf at the February 5, 2008 status. Nothing was filed to explain that failure to appear. Respondent was given leave to file a motion to dismiss for want of prosecution. A new status hearing date was set for March 20, 2008. A copy of the February 5 order was mailed to Complainant's attorney by Respondent's attorney.

7. Nobody appeared on Complainant's behalf on March 20, 2008 and nothing was filed to explain that failure to appear. Respondent again was given leave to file a motion to dismiss and a hearing was scheduled for that motion on April 17, 2008. A copy of the March 20 order was mailed to Complainant's attorney by Respondent's attorney.

8. On March 21, 2008, Respondent filed its Motion to Dismiss for Want of Prosecution and mailed that motion to Complainant's attorney.

9. Nobody appeared on Complainant's behalf on April 17, 2008. Nothing has been filed to explain that failure to appear.

10. Complainant has never filed any written response to Respondent's Motion to Dismiss for Want of Prosecution.

CONCLUSIONS OF LAW

1. Complainant's repeated and unexplained failure to appear at scheduled

status hearings has unreasonably delayed the proceedings in this matter.

2. In light of Complainant's apparent abandonment of her claim, the complaint in this matter should be dismissed with prejudice.

DISCUSSION

For approximately the first year this case was pending, Complainant prosecuted her case. In the past few months, however, she appears to have abandoned her claim.

Respondent brought a motion to dismiss in the summer of 2007. That motion alleged that Complainant had failed to file her initial charge of discrimination in a timely manner. After briefing and oral argument, activities in which Complainant's attorney participated fully, that motion was ultimately denied. However, since the denial of that motion, Complainant has stopped participating in this litigation.

Nobody has appeared on Complainant's behalf on the last three scheduled dates. Moreover, despite proper notice to her attorney, Complainant has failed to respond in any way to the instant motion to dismiss.

Without offering any explanation, Complainant has stopped prosecuting her case. It appears that she has abandoned her claim. As a result, it is appropriate to dismiss this matter with prejudice. *See, e.g., Leonard and Solid Matter, Inc.*, IHRC, 4942, August 25, 1992

RECOMMENDATION

Based upon the foregoing, it appears that Complainant has abandoned her claim. Accordingly, it is recommended that this matter be dismissed with prejudice.

HUMAN RIGHTS COMMISSION

BY:_____
MICHAEL J. EVANS
CHIEF ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION

ENTERED: April 18, 2008