



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED FOR FAILURE TO PROSECUTE: May 28, 2009

CBCA 1446

RIGOBERTO CHAVEZ,

Appellant,

v.

GENERAL SERVICES ADMINISTRATION,

Respondent.

Rigoberto Chavez, pro se, San Gabriel, CA.

Melissa J. McWilliams and Jerry Ann Foster, Office of Regional Counsel, General Services Administration, Fort Worth, TX, counsel for Respondent.

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

**McCANN**, Board Judge.

Mr. Chavez was the successful bidder on a number of vehicles owned by the General Services Administration. He submitted a claim to the contracting officer alleging that all the vehicles were misdescribed. The contracting officer agreed, and refunded to Mr. Chavez the entire \$6293 that he paid for the vehicles. Mr. Chavez appealed the decision. In his notice of appeal Mr. Chavez indicated, "What I merely want is that the GSA Greater Southwest Region respect the contracts and actually provide what is specified in them."

Mr. Chavez has not responded to the motion to dismiss filed by respondent on January 9, 2009. The Board has been unable to reach Mr. Chavez by telephone. The phone number that had been provided to the Board is no longer in service. By order dated

February 20, 2009, Mr. Chavez was directed to show cause by March 13, 2009, why this case should not be dismissed for failure to prosecute. He failed to do so and has not contacted the Board since that date.

Since the Board is unable to contact Mr. Chavez, and since Mr. Chavez has failed to respond to the Board's order to show cause why this case should not be dismissed, this case is hereby **DISMISSED FOR FAILURE TO PROSECUTE**.

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R. ANTHONY McCANN  
Board Judge

We concur:

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ANTHONY S. BORWICK  
Board Judge

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ALLAN H. GOODMAN  
Board Judge