

FILED

FEB 5 2024

NC OSH Review Commission

BEFORE THE NORTH CAROLINA OCCUPATIONAL  
SAFETY & HEALTH REVIEW COMMISSION

COMMISSIONER OF LABOR OF THE  
STATE OF NORTH CAROLINA

Complainant,  
v.

HARRIS TEETER LLC

*and its successors*

Respondent.

OSHANC NO. 2023-6531  
INSPECTION NO. 318253200  
CSHO ID: E1150

ORDER DENYING  
PETITION FOR  
INTERLOCUTORY REVIEW

THIS MATTER is before the undersigned on Respondent's Petition for Review filed on January 11, 2024. The Petitioner seeks the Commission's review of the Hearing Examiner's Interlocutory Order entered on December 12, 2023, by the Honorable REAGAN WEAVER. Although Respondent's petition is timely pursuant to Rule .0602, no substantial right will be lost absent immediate review. In its discretion, the Commission determines that interlocutory review is not warranted.

THEREFORE, IT IS ORDERED that the Respondent's Petition for Review is DENIED.

This February 5, 2024.

Paul E. Smith

Paul E. Smith (Feb 5, 2024 11:07 EST)

PAUL E. SMITH, Chairman

TD

Terrence Dewberry (Feb 2, 2024 15:24 EST)

TERRENCE DEWBERRY, Member

William D Rowe

William D Rowe (Feb 5, 2024 11:06 EST)

WILLIAM D. ROWE, Member

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this date served a copy of the foregoing ORDER GRANTING PETITION FOR REVIEW, upon:

TRAVIS W VANCE  
FISHER PHILLIPS  
227 W TRADE ST STE 2020  
CHARLOTTE NC 28202

by depositing same the United States Mail, Certified Mail, Return Receipt Requested, postage prepaid at Raleigh, North Carolina, and upon:

STACEY A. PHIPPS  
NC DEPARTMENT OF JUSTICE  
LABOR SECTION  
P O BOX 629  
RALEIGH, NC 27602-0629

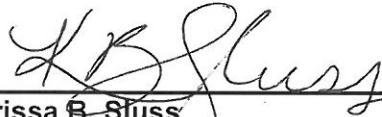
by depositing a copy of the same in the United States Mail, First Class;

NC DEPARTMENT OF LABOR  
LEGAL AFFAIRS DIVISION  
1101 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1101

by email.

THIS 9 of February, 2024.

PAUL E. SMITH  
CHAIRMAN



---

Karissa B. Sluss  
Docket Administrator  
NC Occupational Safety & Health Review Commission  
1101 Mail Service Center  
Raleigh, NC 27699-1101  
TEL.: (919) 733-3589  
NCOSHRC@oshrc.labor.nc.gov