

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

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June 13, 2006

Cathy A. Catterson, Clerk
U.S. Court of Appeals for the Ninth Circuit
PO Box 193939
95 Seventh Street
San Francisco, CA 94119-3939

Re: Docket Nos. 05-7718 and 05-70725 (consolidated)
Robert Farmer v. U.S. Nuclear Regulatory Commission et al.
AGO file nos. 221-05-0565 / 221-05-0687

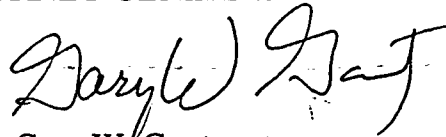
Dear Ms. Catterson:

Enclosed please find an original and 4 copies of the Intervenor State of Alaska's Joinder in Respondent's Motion to Dismiss for Failure to Prosecute. Please date stamp the enclosed copy of this letter to indicate date of receipt and return it to me in the enclosed envelope, postage prepaid, at your convenience.

Sincerely,

DAVID W. MÁRQUEZ
ATTORNEY GENERAL

By:



Gary W. Gantz
Assistant Attorney General

GWG:eg

Enclosure: as stated

cc: service list

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IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ROBERT L. FARMER,)
)
Petitioner,)
)
v.)
)
U.S. NUCLEAR REGULATORY)
COMMISSION,)
)
Respondent,)
)
and)
)
ELAINE CHAO, Secretary of Labor,)
U.S. DEPARTMENT OF LABOR,)
)
Respondent,)
)
and)
)
STATE OF ALASKA,)
)
Intervenor.)

Nos. 05-70718 and 05-70725
(consolidated)

**INTERVENOR STATE OF ALASKA'S JOINDER
IN
RESPONDENTS' MOTION TO DISMISS FOR FAILURE TO
PROSECUTE**

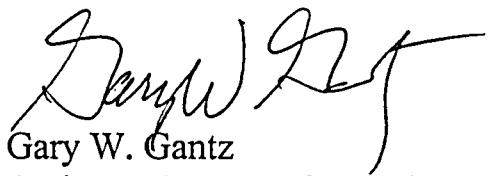
The State of Alaska, Department of Transportation and Public
Facilities ("State") joins in the U.S. Regulatory Commission's and the U.S.
Department of Labor's Motion to Dismiss served June 7, 2006 and incorporates

1 their brief as set out in full herein. In addition, the State of Alaska submits the
2 following:
3

4 Petitioner Robert L. Farmer, now a pro se litigant, has failed twice to
5 file substantive briefing within the time limits set by this Court. His earlier
6 request to dismiss these petitions without prejudice was denied by order of the
7 Appellate Commissioner issued December 20, 2005. At this time these
8 consolidated petitions should be dismissed with prejudice for failure to timely file
9 a brief or other application in accordance with Circuit Rule 31-2 and in
10 accordance with the Court Clerk's order of March 14, 2006.
11

12 DATED: June 13, 2006.

13
14 DAVID W. MÁRQUEZ
15 ATTORNEY GENERAL

16 By: 
17 Gary W. Gantz
18 Assistant Attorney General
19 ABA No. 6811030
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CERTIFICATE OF SERVICE

This is to certify that on this date, a true and correct copy of
**INTERVENOR STATE OF ALASKA'S JOINDER IN RESPONDENTS'
MOTION TO DISMISS FOR FAILURE TO PROSECUTE**, and this
CERTIFICATE OF SERVICE in this proceeding was served on the following:

Robert L. Farmer
2707 Klamath Drive
Anchorage, AK 99517
(via regular U.S. Mail) and
(via Certified Mail (Article # 7003
2260 0001 0347 2452) return receipt
requested)

Mary Rieser, Esq.
U.S. Department of Labor
200 Constitution Avenue
Washington, D.C. 20210
(via regular U.S. Mail)

Jared K. Heck, Esq.
U.S. Nuclear Regulatory Commission
Mail Stop 015 D21
Washington, D.C. 20555-0001
(via regular U.S. Mail)

Elizabeth A. Goodwin
Elizabeth A. Goodwin

6/13/06
Date