

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF
HAZARDOUS WASTE SITE PROFESSIONALS**

September 23, 2013

In the Matter of James J. Decoulos

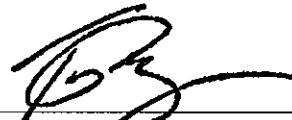
Docket No. LSP 10AP 01

**RULING AND ORDER REGARDING DECOULOS'S MOTION TO ALLOW
ADDITIONAL EXHIBITS INTO THE RECORD**

I have reviewed Decoulos's Motion to Allow Additional Exhibits Into the Record (8/26/13) and the Board's Opposition to it. The motion is denied under 801 CMR 1.01(10)(k)2, 1.01(7)(k), and G.L. c. 30A § 11, for all the reasons asserted by the Board; the documents that Decoulos seeks to be made a part of the record shall be excluded. There has been no showing why the proffered exhibits were not made a part of the record before or during the hearing, or even during the several months that passed before issuance of the Recommended Decision. Throughout the adjudicatory proceeding, Decoulos was reminded on a number of occasions that it was crucial to make a complete record before the hearing, which included submission of all exhibits. The record clearly shows that Decoulos understood this, submitting *many* exhibits and motions. Throughout the adjudicatory proceeding, I appropriately accounted for Decoulos's pro se status.¹

¹ See generally Massachusetts Supreme Judicial Court Judicial Guidelines for Civil Hearings Involving Self-Represented Litigants; Russell Engler, Ethics in Transition: Unrepresented Litigants and the Changing Judicial Role, 22 Notre Dame J.L. Ethics & Pub. Pol'y 367 (2008).

The parties' pleadings also include Decoulos' Opposition to a Motion to Strike and the Board's Reply to that opposition, apparently concerning documents that were filed with the Board for Decoulos' Objection to the Recommended Decision. The Board's Motion to Strike was not filed with the Office of Appeals and Dispute Resolution and I have not reviewed it. In any event, that is a matter before the Board under 309 CMR 7.10, and I therefore will not render a decision on the Motion to Strike and pleadings related to it.



Timothy M. Jones
Presiding Officer

SERVICE LIST

BOARD OF REGISTRATION
OF HAZARDOUS WASTE SITE
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