

CAREER SERVICE BOARD, CITY AND COUNTY OF DENVER, STATE OF
COLORADO

Appeal No. 93-06

FINDINGS AND ORDER

IN THE MATTER OF THE APPEAL OF:

SHERRY DYSART,

Appellant/Petitioner,

vs.

DEPARTMENT OF HUMAN SERVICES, and the City and County of Denver, a
municipal corporation,

Agency/Respondent.

This matter is before the Career Service Board on the Agency's Motion to Dismiss with Prejudice for Failure to Prosecute, filed March 28, 2007. Appellant has not responded to the Agency's motion.

CSA Rule 19-64 A. and B. require a petitioner to file, within twenty days of his/her petition for review, a request for a hearing transcript or a notice that no transcript is being requested on appeal. Further, if no transcript is requested, CSA Rule 19-65 A. provides that the petitioner's brief is due within thirty-five days after the date of service of petitioner's notice that no transcript is being requested.

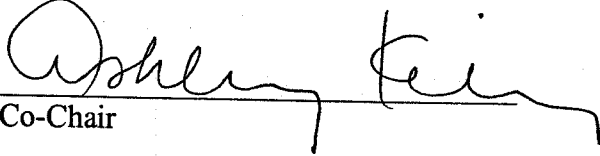
After filing a timely Petition for Review on February 27, 2007, Appellant needed to give the Board notice regarding the ordering or non-ordering of a transcript by March 19, 2007, but failed to do so. In addition, because no transcript was requested from the Hearing Office, Petitioner's brief was due no later than April 23, 2007, and she failed to file a brief. The Board finds that Appellant has not diligently prosecuted her appeal.

ORDER



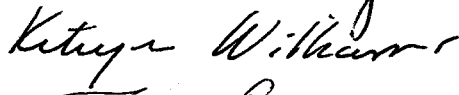

IT IS THEREFORE ORDERED that the Agency's Motion to Dismiss is **GRANTED**, and Appellant's Petition for Review is **DISMISSED WITH PREJUDICE**.

SO ORDERED by the Board on May 3, 2007 and documented this 3rd
day of March, 2007.

BY THE BOARD:


Co-Chair

Board Members Concurring:

CERTIFICATE OF MAILING

I certify that I have mailed a true and correct copy of the foregoing **FINDINGS AND ORDER**, postage prepaid, this 4th day of May, 2007, addressed to:

Sherry Dysart
25 Lansing St.
Aurora, Colorado, 80010

And **VIA INTEROFFICE MAIL**, this 4th day of May, 2007, to:

Niels Loechell, Assistant City Attorney
Denver Department of Human Services
1200 Federal Blvd., 4th Floor
Denver, CO 80204

Jennifer Fairweather, Director of Human Resources
Denver Department of Human Services

Career Service Hearings Office