

**HEARINGS OFFICER, CAREER SERVICE BOARD  
CITY AND COUNTY OF DENVER, COLORADO**

Appeal No. 72-05

---

**ORDER**

---

IN THE MATTER OF THE APPEAL OF:

**LONNIE A. MULLEN**, Appellant,

Agency: Department of Aviation, Denver International Airport, and the City and  
County of Denver, a municipal corporation.

---

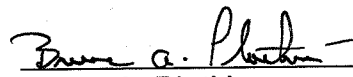
The parties have replied to the Hearings Officer's June 29, 2005 Order to Show Cause. Having considered those responses and being otherwise informed in this matter, the Hearings Officer finds and orders as follows.

This first jurisdictional issue addressed in the Order to Show Cause concerns the timeliness of this appeal. Jurisdiction appears to be absent based upon the Appellant's failure to comply with CSR § 18-12, which requires that a grievance must be filed within ten calendar days after notification of the action giving rise to the grievance.

The action giving rise to this appeal occurred on December 1, 2004. See Appeal, 6/14/05 Memorandum from James Thomas. The Appellant filed his first-step grievance on May 27, 2005. The Appellant's first-step grievance was therefore not timely, pursuant to CSR 18-12. As such, the Hearings Officer is without jurisdiction to consider the merits of the Appellant's claims. As the Hearings Officer is without jurisdiction based upon considerations of the timeliness of the Appellant's Grievance, the hearings Officer does not address the remaining jurisdictional issues.

The Appellant's appeal is DISMISSED WITH PREJUDICE.

DONE this 9<sup>th</sup> day of August, 2005.

  
\_\_\_\_\_  
Bruce A. Plotkin  
Hearings Officer  
Career Service Board

**CERTIFICATE OF MAILING**

I hereby certify that I have forwarded a true and correct copy of the foregoing **ORDER DISMISSING APPEAL**, by depositing same in the U.S. mail, postage prepaid, this 9th day of August, 2005, addressed to:

Lonnie A. Mullen  
701 Moline St.  
Aurora, CO 80010

I further certify that I have forwarded a true and correct copy of the foregoing **ORDER DISMISSING APPEAL**, by depositing same in the interoffice mail, this 10th day of August, 2005, addressed to:

Robert D. Nespor, Esq.  
City Attorney's Office  
Employment Law Section  
201 West Colfax Avenue Dept 1108  
Denver, CO 80202

Charlotte A. Smith