

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

Appeal No. 11-06

ORDER OF DISMISSAL

IN THE MATTER OF THE APPEAL OF:

TEDDY P. RIVERA,
Appellant,

vs.

SOLID WASTE MANAGEMENT DIVISION, DEPARTMENT OF PUBLIC WORKS,
and the City and County of Denver, a municipal corporation,
Agency.

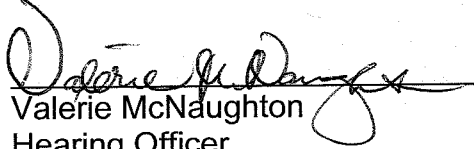
Appellant was ordered to show cause why this appeal should not be dismissed as untimely by Feb. 20, 2006. On Feb. 21, 2006, Appellant responded. The Agency's reply was filed on Feb. 24, 2006.

Appellant was dismissed from his employment on Dec. 14, 2005. The letter of dismissal notified him that he had a right to appeal the dismissal under Rule 19 of the Career Service Rules. At the time in question, that rule gave an employee ten days within which to file an appeal. This appeal was filed on Feb. 9, 2006, well after that time had expired.

Appellant argues that he was not advised of the ten-day time limit for filing an appeal. The rules do not require notice of the deadline for appeal. Appellant was advised of his right to appeal under Rule 19, and that deadline is set forth in CSR § 19-22. Appellant does not allege that he made any efforts to learn of the deadline or to file this appeal in a timely manner. The other arguments raised in Appellant's response do not state good cause for the late filing of the appeal.

This appeal is DISMISSED with prejudice for lack of jurisdiction.

Done this 1st day of
March, 2006.


Valerie McNaughton
Hearing Officer
Career Service Board

CERTIFICATE OF MAILING

I hereby certify that I have forwarded a true and correct copy of the foregoing **DISMISSAL ORDER** by depositing same in the U.S. mail, postage prepaid, this 2nd day of March, 2006, addressed to:

Mr. Teddy P. Rivera
4742 Bryant Street
Denver, CO 80211

I further certify that I have forwarded a true and correct copy of the foregoing **DISMISSAL ORDER** by depositing same in the interoffice mail, this 2nd day of March, 2006, addressed to:

Karla J. Pierce, Esq.
City Attorney's Office
Litigation Section
201 West Colfax Ave. Dept. 1108
Denver, CO 80202

