

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

Appeal No. 40-06

ORDER DISMISSING APPEAL

IN THE MATTER OF THE APPEAL OF:

RENEE APODACA,
Appellant,

vs.

PARKS & RECREATION,
and the City and County of Denver, a municipal corporation,
Agency.

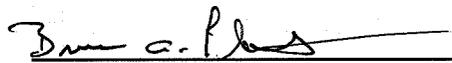
The Agency filed its Motion to Dismiss on July 17, 2006. The Appellant filed her timely response July 27, 2006. Having considered the parties Motion, Response, and being otherwise informed in this matter, the Hearings Officer finds and orders as follows.

The Agency correctly identified, that under Career Service Rule (CSR) 19-22 a), an appeal must be filed with the Career Service Authority Hearings Office within 15 days from the date of notice of action. The action giving rise to the appeal in this case was the Agency's letter of dismissal to the Appellant dated and effective June 8, 2006. The date of notice of the action is defined as either the date of hand delivery, or the date on the certificate of mailing. CSR 19-22 a) 2) (a). The Appellant acknowledged timely receipt of the hand-delivered notice. The Appellant filed her appeal on July 10, 2006, outside of the jurisdictional requirement of the rule.

Appellant acknowledges she realized the filing deadline only belatedly, but offers no external reason that may have prevented her from becoming aware of the deadline, such as failure to receive the dismissal notice, or being misinformed by someone in a position of authority. Without meeting the filing deadline, or providing an extraordinary, supervening reason for such failure, the Hearings Officer is deprived of personal jurisdiction over the Appellant to consider the merits of her case. See In re Ortivez, CSA 174-03 (3/3/04), Widener v. District Court, 200 Colo. 398, 615 P.2d 33 (Colo. 1980).

Accordingly, this appeal is DISMISSED With Prejudice.

DONE this 28th day of July, 2006.



Bruce Plotkin
Hearing Officer for the
Career Service Board