

**STATE PERSONNEL BOARD, STATE OF COLORADO**  
Case No. 2003B127

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**ORDER OF THE STATE PERSONNEL BOARD**

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DAVID TEIGEN,

Complainant,

vs.

DEPARTMENT OF CORRECTIONS, COLORADO TERRITORIAL CORRECTIONAL FACILITY,

Respondent.

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This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on July 19, 2005. During this public session, the Board considered the record on appeal, including but not limited to:

1. Initial Decision of the Administrative Law Judge
2. Order of the State Personnel Board
3. Petition for Reconsideration of Board's Decision in Light of Newly-Decided Court of Appeals Case
4. Complainant's Objection, Response and Motion to Strike Department of Corrections' Petition for Reconsideration of the Board's Decision

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the Petition for Reconsideration of Board's Decision in Light of Newly-Decided Court of Appeals Case be denied.

Dated this \_\_\_\_\_ day of  
July, 2005.

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John Zakhem  
Board Chair  
State Personnel Board  
633 17th Street, Suite 1320  
Denver, Colorado 80202-3604

## NOTICE OF APPEAL

Each party has the following rights:

1. To abide by this decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S. (2004), as provided in Section 24-50-125.4(3), C.R.S. (2004).

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S. (2004), the party filing the appeal with the Court of Appeals must serve the Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. Such will aide in the timely preparation of the record.

### CERTIFICATE OF MAILING

This is to certify that on the \_\_\_\_\_ day of July, 2005, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD** in the United States mail, postage prepaid, addressed as follows:

William S. Finger  
Mark Gerganoff  
Frank & Finger, P.C.  
29025-D Upper Bear Creek Road  
P.O. Box 1477  
Evergreen, Colorado 80437-1477

And by interagency mail to:

John Lizza  
Assistant Attorney General  
Employment Section  
1525 Sherman Street, 7<sup>th</sup> Floor  
Denver, Colorado 80203

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