

ORDER OF THE STATE PERSONNEL BOARD ON REMAND

SEAN McGUIRE,

Complainant,

vs.

DEPARTMENT OF REVENUE,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on February 19, 2008. During this public session, the Board considered the Mandate from the Court of Appeals, Court of Appeals No. 06CA1532, Order Reversed and Case Remanded with Directions, Opinion Modified and Petition for Rehearing Denied, received January 29, 2008, by the Board.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that, in compliance with the Court of Appeals' order, this matter is remanded to the Administrative Law Judge for an evidentiary hearing regarding Complainant's constitutional claim and whether Complainant was discriminated against on the basis of age or disability when he was not hired for the Criminal Investigator II position.

Dated this 21 day of
February, 2008.



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

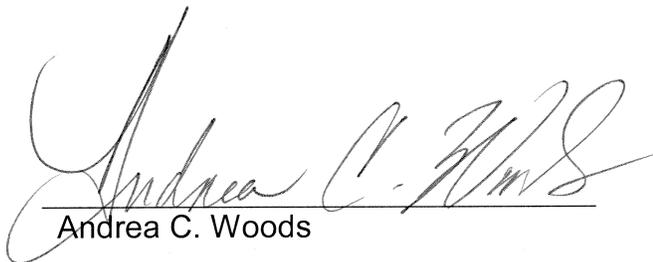
CERTIFICATE OF MAILING

This is to certify that on the 21st day of February, 2008, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD ON REMAND**, in the United States mail, postage prepaid, addressed as follows:

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And in interagency mail:

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Andrea C. Woods