

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. **2006D002**

**ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR
DECLARATORY ORDER**

BARRY RICE,

Petitioner,

vs.

**DEPARTMENT OF HIGHER EDUCATION, UNIVERSITY OF COLORADO AT DENVER,
AURARIA MEDIA CENTER, and AURARIA HIGHER EDUCATION CENTER,**

Respondents.

This matter is before the Colorado State Personnel Board (the "Board") at its regularly scheduled public session held on February 21, 2006. During this public session, the Board reviewed the January 19, 2006 Petition for Declaratory Order of Barry Rice and the Response to Petition for Declaratory Order. Noting that a petition for writ of certiorari is pending in the Colorado Supreme Court in this case, the Board voted to deny the petition for declaratory order based on jurisdictional grounds.

Dated this _____ day
of March, 2006.

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 the 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., as provided in Section 24-50-125.4(3), C.R.S.

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S., the party filing the appeal with the Court of Appeals must serve the State Personnel Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. In addition to serving the State Personnel Board with a copy of the Notice of Appeal, the party filing the appeal with the Court of Appeals must name the State Personnel Board as a party (appellee) to the appeal. Section 24-4-106(11)(d), C.R.S.

CERTIFICATE OF MAILING

This is to certify that on the _____ day of March, 2006, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR DECLARATORY ORDER** in the United States mail, postage prepaid, addressed as follows:

Nora V. Kelly, Esq.
Nora V. Kelly, P.C.
1776 Lincoln Street, Suite 810
Denver, Colorado 80203

and in the interagency mail to:

Christopher J. Puckett
Assistant Attorney General
Civil Litigation & Employment Law Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203

Andrea C. Woods