STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2007B090

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**ORDER OF THE STATE PERSONNEL BOARD**

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**NORMA SMITH,**

Complainant,

vs.

**DEPARTMENT OF HUMAN SERVICES, DIVISION OF DISABILITY DETERMINATION,**

Respondent.

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This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on May 20, 2008. 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. January 25, 2008 Letter to Governor Ritter;
3. February 4, 2008 Transmittals (Complainant's Opening Brief);
4. Order re: Clarification of Briefing Schedule and Designation of Record;
5. Motion to Dismiss and in the Alternative, Answer Brief.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the Motion to Dismiss, contained in Respondent's Motion to Dismiss and in the Alternative, Answer Brief, is granted and made an order of the Board, and this matter is dismissed with prejudice.

Dated this 21st day of May, 2008.

Rich Djokic

Rich Djokic, 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., 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 22nd day of May, 2008, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Norma Smith
4149 South Evanston Circle, Unit D
Aurora, Colorado 80014

and in the interagency mail, to:

Brooke Meyer
Assistant Attorney General
Employment Law Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203

Andrea C. Woods