STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. **2012G076**

ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR HEARING

MITCHELL FOX-RIVERA,
Complainant,

vs.

DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT, LABORATORY SERVICES DIVISION,
Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on September 18, 2012. During this public session, the Board considered the Preliminary Recommendation of the Administrative Law Judge.

Based upon the Board's review and consideration of the Preliminary Recommendation, the Board finds there is a sufficient basis to reverse the Preliminary Recommendation of the Administrative Law Judge on the grounds that Complainant failed to demonstrate the existence of valid issues that merit a hearing.

IT IS HEREBY ORDERED that the Preliminary Recommendation of the Administrative Law Judge is reversed, and that the petition for hearing is **DENIED**.

Dated this 20 day
Of **September, 2012**.

Rich Djokic, Board Chair
State Personnel Board
633 17th Street, Suite 1320
Denver, CO 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.

CERTIFICATE OF MAILING

This is to certify that on the 20 day of **September, 2012**, I electronically served a true copy of the foregoing **ORDER OF THE STATE PERSONNEL BOARD DENYING PETITION FOR HEARING,** as follows:

Mitchell Fox-Rivera

[redacted]

Bradford Jones A.A.G.

[redacted]

[redacted]

Andrea C. Woods