

STATE PERSONNEL BOARD, STATE OF COLORADO
Case No. 2016G001(c)

**ORDER OF THE STATE PERSONNEL BOARD EFFECTIVELY DENYING PETITION FOR
HEARING BASED ON A LACK OF A MAJORITY VOTE TO CARRY A MOTION TO ADOPT**

MICHELLE MULLER
Complainant,

vs.

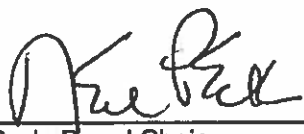
DEPARTMENT OF CORRECTIONS, COLORADO BOARD OF PAROLE
Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled meeting held on November 15, 2016. During this public session, the Board considered the Preliminary Recommendation of the Administrative Law Judge.

In order to carry a motion to grant a petition for a discretionary, hearing, the Board must have a majority vote. The Board did not obtain sufficient votes to adopt the Preliminary Recommendation of the Administrative Law Judge to grant the petition for hearing solely on the issue of unlawful retaliation. The petition for hearing is effectively denied and no further action will be taken by the Board in the matter.

IT IS HEREBY ORDERED that the petition for a discretionary hearing is **DENIED**.

Dated this 17 day
Of November, 2016.



Neil Peck, Board Chair
State Personnel Board
1525 Sherman Street, 4th Floor
Denver, CO 80203

NOTICE OF APPEAL

1. To abide by the decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 49 days pursuant to Section 24-50-125.4(3), C.R.S., in the method described at Section 24-4-106(11), C.R.S., and in accordance with applicable Colorado Appellate Rubs.

In the event this decision is appealed, the party filing the appeal with the Court of Appeals must name in the appeal and serve such appeal upon the State Personnel Board and all other parties who have appeared as parties to this action. See Section 24-4-106(11)(d), C.R.S. The State Personnel Board can be served at: 1525 Sherman Street, 4th Floor, Denver, Colorado 80203.

CERTIFICATE OF MAILING

This is to certify that on the 17th day of November, 2016, I electronically served a true copy of the foregoing **ORDER OF THE STATE PERSONNEL BOARD EFFECTIVELY DENYING PETITION FOR HEARING BASED ON A LACK OF A MAJORITY VOTE TO CARRY A MOTION TO ADOPT** as follows:

Barry D. Roseman
1640 E. 18th Avenue
Denver, CO 80203
bdr@18avelaw.com

Brad Jones, Esq.
Assistant Attorney General
1300 Broadway, 10th Floor
Denver, CO 80203
Brad.jones@coag.gov



Jenney Reed