



STATE OF NEW JERSEY

In the Matter of Stacie Percella City of Bayonne, Department of Public Works

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

CSC DKT. NO. 2014-1902 OAL DKT. NO. CSV 01647-14

:

ISSUED: AUGUST 13, 2014

The appeal of Stacie Percella, Deputy Registrar of Vital Statistics/Keyboard Clerk 3, City of Bayonne, Department of Public Works, 60 working day suspension, on charges, was heard by Administrative Law Judge Caridad F. Rigo, who rendered his initial decision on July 2, 2014. No exceptions were filed.

Having considered the record and the Administrative Law Judge's initial decision, and having made an independent evaluation of the record, the Civil Service Commission, at its meeting on August 13, 2014, accepted and adopted the Findings of Fact and Conclusion as contained in the attached Administrative Law Judge's initial decision.

<u>ORDER</u>

The Civil Service Commission dismisses the above appeal without prejudice based on appellant's lack of prosecution.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE CIVIL SERVICE COMMISSION ON

AUGUST 13, 2014

Robert M. Czech Chairperson

Civil Service Commission

Inquiries and

Correspondence

Henry Maurer
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
44 S. Clinton Ave.
P. O. Box 312
Trenton, New Jersey 08625-0312



INITIAL DECISION
DISMISSAL

OAL DKT. NO. CSV 01647-14 AGENCY DKT. NO. 2014-1902

IN THE MATTER OF STACIE PERCELLA,
CITY OF BAYONNE, DEPARTMENT OF PUBLIC WORKS.

Peter J. Cresci, Esq., for petitioner

Charles P. Daglian, Esq., for respondent

Record Closed: June 13, 2014

Decided: July 2, 2014

BEFORE **CARIDAD F. RIGO**, ALJ:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

This matter having been referred to the Office of Administrative Law on about February 7, 2014, and the matter having been set for a plenary hearing on June 10, 2014, and the petitioner not appearing and not calling or otherwise contacting this court and not providing a reason for her absence, and the petitioner having been duly notified of the scheduled hearing of June 10, 2014, I **FIND** that there is good and sufficient cause to **GRANT** respondent's motion to dismiss this matter.

Pursuant to N.J.A.C. 1:1-14.4(a) an Administrative Law Judge (ALJ) is required to hold a Failure to Appear matter for one day before taking any action. This matter has been held in excess of one day and to date there has been no communication from Ms. Percella or her counsel. Therefore, this matter is **DISMISSED** and the attached **ORDER** is hereby incorporated in this initial decision.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the CIVIL SERVICE COMMISSION, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the DIRECTOR, MERIT SYSTEM PRACTICES AND LABOR RELATIONS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, P.O. Box 312, Trenton, New Jersey 08625-0312, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

July 2, 2014	(andaelt lear
DATE	CARIDAD F. RIGO, ALJ
Date Received at Agency:	July 2, 2014
Date Mailed to Parties:	JUL -3 2014 DIRECTOR AND

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CHIEF ADMINISTRATIVE LAW JUDGE

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