

## STATE OF NEW JERSEY

In the Matter of Matthew Olsen Department of Transportation

CSC DKT. NO. 2019-3587 OAL DKT. NO. CSV 08406-19 FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

ISSUED: AUGUST 19, 2020 BW

The appeal of Matthew Olsen, Highway Operations Technician 1, Department of Transportation, removal effective May 1, 2019, on charges, was heard by Administrative Law Judge Edward J. Delanoy, Jr., who rendered his initial decision on July 16, 2020. No exceptions were filed.

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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 19, 2020, accepted and adopted the Conclusion as contained in the attached Administrative Law Judge's initial decision.

## ORDER

The Civil Service Commission dismisses the appeal based on the appellant's failure to appear.

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 THE 19<sup>TH</sup> DAY OF AUGUST, 2020

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Deirdré L. Webster Cobb

Chairperson

Civil Service Commission

Inquiries and Correspondence Christopher S. Myers
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 08406-19 AGENCY DKT. NO. 2019-3587

IN THE MATTER OF MATTHEW OLSEN, DEPARTMENT OF TRANSPORTATION.

Matthew Olsen, appellant, pro se

Nonee Lee Wagner, Deputy Attorney General, for respondent (Gurbir S. Grewal, Attorney General of New Jersey, attorney)

Record Closed: July 13, 2020

Decided: July 16, 2020

BEFORE EDWARD J. DELANOY, JR., Deputy Director and ALAJ:

The matter was transmitted to the Office of Administrative Law (OAL), where it was filed on June 20, 2019. After an unsuccessful settlement conference, the matter was assigned to me. Telephone conferences were held on September 11, 2019, October 21, 2019, December 4, 2019, and January 9, 2020, during which time appellant indicated he was attempting to retain counsel. Appellant was given an additional sixty days to advise if he retained counsel. A telephone conference was scheduled for April 9, 2020, but adjourned due COVID-19. Notices providing dial-in numbers were sent to the parties for the rescheduled conference call for May 27, 2020. DAG Wagner called

in for the May 27, 2020, telephone conference, but appellant did not. The call was rescheduled as a dial-in for July 1, 2020, and notices were sent out on June 1, 2020, reminding appellant that "if you do not participate in the conference, the file will be returned to the transmitting agency for appropriate action which may include imposition of the proposed penalty or granting the relief requested by the other party." On July 1, 2020, the DAG called in for the call; however, appellant did not dial in, nor did he contact the OAL providing a reason for his failure to dial-in for the conference call.

Appellant has not forwarded a letter of explanation for his failure to appear for two telephone conferences, a letter of withdrawal, or a request to move forward to a hearing. Therefore, I CONCLUDE that respondent has abandoned his appeal.

## <u>ORDER</u>

It is hereby ORDERED that this appeal be DISMISSED.

	Edward of Nelsons of
July 16, 2020	
DATE	EDWARD J. DELANOY, JR., Deputy
	Director & ALAJ
Date Received at Agency:	
Date Mailed to Parties:	
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