

In the Matter of Mark Atkinson, Deptford, Municipal Utilities Authority

CSC DKT. NO. 2022-1126 OAL DKT. NO. CSV 10236-21 FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

ISSUED: JULY 20, 2022

The appeal of Mark Atkinson, Laborer 1, Deptford, Municipal Utilities Authority, release at the end of the working test period, effective October 26, 2021, was before Administrative Law Judge Jeffrey R. Wilson (ALJ), who rendered his initial decision on June 28, 2022. No exceptions were filed.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, the Civil Service Commission, at its meeting of June 29, 2022, accepted the recommendation as contained in the attached ALJ's initial decision.

<u>ORDER</u>

The Civil Service Commission dismisses the appeal of Mark Atkinson for 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 20TH DAY OF JULY, 2022

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Chairperson

Civil Service Commission

Inquiries and Correspondence Nicholas F. Angiulo Director Division of Appeals and Regulatory Affairs Civil Service Commission P. O. Box 312 Trenton, New Jersey 08625-0312

Attachment



INITIAL DECISION
DISMISSAL

OAL DKT. NO. CSV 10236-21 AGENCY DKT. NO. 2022-1126

IN THE MATTER OF MARK ATKINSON,
DEPTFORD TOWNSHIP,
MUNICIPAL UTILITIES AUTHORITY.

Mark Atkinson, appellant, pro se

Charles A. Fiore, Esq., for respondent, Deptford Township, Municipal Utilities
Authority, (Marmero Law, L.L.C., attorneys)

Record Closed: June 28, 2022 Decided: June 28, 2022

BEFORE **JEFFREY R. WILSON,** ALJ:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

This matter was transmitted to the Office of Administrative Law (OAL), where it was filed on December 16, 2021, and assigned to the undersigned Administrative Law Judge, on May 16, 2022. A telephone prehearing conference was scheduled for June 27, 2022. Notice for the telephone conference was mailed to the petitioner at his address of record, on May 30, 2022. The notice included the following language:

If you do not participate in the prehearing 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. To date, the petitioner has not provided a request for an adjournment of the June 27, 2022, prehearing conference or an explanation for his nonappearance for the same. Neither has this office received notice of legal representation on behalf of the petitioner. Therefore, I **CONCLUDE** that the petitioner has failed to appear and has abandoned his appeal.

<u>ORDER</u>

It is hereby **ORDERED** that this appeal be **DISMISSED**.

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, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, Civil Service Commission, 44 South Clinton Avenue, PO 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.

	V
June 28, 2022 DATE	JEFFREY R. WILSON, ALJ
Date Received at Agency:	
Date Mailed to Parties:	
JRW/tat	