

**STATE OF NEW JERSEY**

 : **FINAL ADMINISTRATIVE ACTION**
In the Matter of Nestor Rigail, Parole : **OF THE**
Sergeant (PS0987I), State Parole : **CIVIL SERVICE COMMISSION**
Board :
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CSC Docket No. 2026-45 : Late Application Appeal
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ISSUED: December 17, 2025 (GC)

Nestor Rigail requests permission to submit a late application for the promotional examination for Parole Sergeant (PS0987I), State Parole Board.

As background, the announcement for the subject examination issued on June 1, 2025, with a closing date of June 23, 2025. The announcement noted that **“Applications must be completed and submitted by 4:00 PM on the closing date** (emphasis in original).” Agency records indicate that 108 of the 109 applications received were admitted to the written examination which has not yet been scheduled.

In his petition to the Civil Service Commission (Commission), the petitioner acknowledges that he received timely notification of the subject examination. Specifically, he maintains that he “attempted to sign up for the promotional test after 4:00 p.m.” He asserts that he “was under the impression that the closing time for this promotional test was at 5:00 p.m. (business hours).” The petitioner additionally notes that he was not at work on the closing date. The petitioner explains that he has waited for this opportunity for a couple of years and requests that he be allowed to submit a late application. In support, he submits a letter from his supervisor who indicates that the petitioner attempted to apply “just minutes” after the examination closed, believing he had until 5:00 p.m. to file his application.

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides in pertinent part, that applications for promotional examinations shall be submitted no later than 4:00 p.m. on the announced application filing date. *N.J.A.C.* 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove his or her name from an eligible list was in error.

Upon review, the Commission declines to permit the petitioner to file a late application. The petitioner acknowledges that he received timely notification of the subject examination, which clearly indicated that applications *must* be submitted by 4:00 p.m. on June 23, 2025. Therefore, the petitioner was afforded a three-week window to file his application. As to the petitioner's belief that the closing time for the subject examination was at 5:00 p.m., his mistaken belief does not provide sufficient justification to permit him to file a late application, especially considering that 108 other individuals were able to timely submit their applications. Accordingly, the Commission cannot find a sufficient basis in the record to allow the petitioner to file a late application.

ORDER

Therefore, it is ordered that this request be denied.

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 17TH DAY OF DECEMBER, 2025

Allison Chris Meyers

Allison Chris Meyers
Chairperson
Civil Service Commission

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