



STATE OF NEW JERSEY

In the Matter of DaQuan Adams,
Department of Human Services, New
Lisbon Developmental Center

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2025-657

Administrative Appeal

ISSUED: July 22, 2026 (AMRG)

DaQuan Adams, Human Services Assistant, Department of Human Services, New Lisbon Developmental Center, requests to reinstate the appeal of his removal, effective August 15, 2024, which was dismissed on the basis of his failure to appear at the February 4, 2025 settlement conference at the Office of Administrative Law (OAL).

By way of background, the appellant timely appealed his removal to this agency which transmitted the matter to the OAL as a contested case. The OAL scheduled the matter for a settlement conference on February 4, 2025, and sent a notice, dated November 25, 2024, to this effect to the appellant, the New Lisbon Developmental Center and the Department of Human Services. On the scheduled date, the appellant failed to appear. The OAL issued a Failure to Appear notice on March 3, 2025 which indicated that the appellant failed to appear at the scheduled proceedings. On March 3, 2025, the matter was returned to the Civil Service Commission (Commission) for a final decision, with a notice giving the parties 13 days to present any excuse to this agency for failure to appear at the OAL proceedings.

In support of the appellant's request for reinstatement of his appeal, the appellant indicates that he did not appear as a result of not receiving the aforementioned November 25, 2024 notice. In support of his request, he submits a

sworn notarized statement indicating that he did not receive the November 25, 2024 notice.

Although given the opportunity, the appointing authority did not file an objection to the appellant's request.

CONCLUSION

The Commission acknowledges the presumption that mail correctly addressed, stamped and mailed is generally received by the party to whom it was addressed. *See SSI Medical Services, Inc. v. State Department of Human Services*, 146 N.J. 614 (1996); *Szczesny v. Vasquez*, 71 N.J. Super. 347, 354 (App. Div. 1962); *In the Matter of Joseph Bahun*, Docket No. A-1132-00T5F (App. Div. May 21, 2001). It also recognizes that on occasion, such mail never reaches its intended destination. Generally, the Commission is willing to accept that if an individual is prepared to make a statement under oath, understanding all its implications and consequences, then it is proper to permit the presumption of receipt to be overcome. In actuality, there is no other alternative for an applicant. It is not possible to prove a negative, *i.e.*, that mail was not received. If the Commission did not accept a sworn statement averring that mail was not received, there would be no remedy at all for individuals who find themselves in this particular situation. *See In the Matter of Neil Nelson* (MSB, decided January 26, 2005).

In this matter, the appellant claims that he did not receive the November 25, 2024 notice indicating the February 4, 2025 settlement conference date. The appellant has submitted a sworn, notarized statement attesting to the fact that he did not receive the November 25, 2024 notice to appear.

Accordingly, the Commission finds that, under the circumstances presented in this matter, to deny the appellant a hearing on the merits of his disciplinary action would be unjust.

ORDER

Therefore, it is ordered that DaQuan Adam's request to reinstate his appeal be granted and the matter be transmitted to the OAL for further proceedings.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 22ND DAY OF JULY, 2026



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