

BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD

Dajon Porter

APPELLANT

VS.

FILED
JAN 08 2016

DOCKET NO.: 15-021

EMPLOYEE APPEALS BOARD

Mississippi Department of Corrections

RESPONDENT

ORDER GRANTING MOTION TO DISMISS

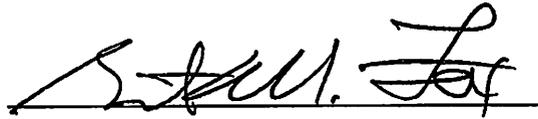
Mississippi Department of Corrections (hereafter "MDOC") filed a motion to dismiss in this cause due to the fact that the appellant, Dajon Porter (hereafter "Porter"), was employed as a non-state service employee by MDOC. MDOC's position is that Porter was terminated on April 3, 2015. MDOC pleads that Porter as non state service has made no allegations of discrimination or harrassment.

Porter was represented by an attorney who died just prior to a hearing which was set in this cause. Porter has had more than enough time to employ another attorney and has not responded to requests for a telephonic hearing on the Motion to Dismiss. Therefore, this tribunal must issue a ruling.

The Motion to Dismiss is granted due to the fact that Porter is a non state service probationary employee and he has not plead discrimination. In fact, even if all of Porter's alleagations in his pleadings were true, his claim still fails. Porter's appeal is dismissed.

So ORDERED, on this the 8th day of January, 2016.

MISSISSIPPI EMPLOYEE APPEALS BOARD

A handwritten signature in black ink, appearing to read "Grant M. Fox", written over a horizontal line.

Grant M. Fox

HEARING OFFICER