

BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD

CASSANDRA DANNER

FILED

APPELLANT

MAY 05 2016

VS.

EMPLOYEE APPEALS BOARD

DOCKET NO.: 16-002

MISSISSIPPI DEPARTMENT OF HUMAN SERVICES

RESPONDENT

ORDER OF DISMISSAL

Pursuant to the undersigned hearing officer's request, a telephonic prehearing was held in this matter on March 25, 2016, to allow oral argument on the Notice of Appeal before the Mississippi Employee Appeals Board between Cassandra Danner versus the Mississippi Department of Human Services (hereafter "MDHS.")

On April 18, 2016, MDHS filed a Motion to Dismiss for Failure to Timely Perfect Appeal. Rule 10.7.5, *Perfection of Appeal by Timely Filing*, of the Mississippi Employee Appeals Board Administrative Rules, dictates the requirements for perfection of an Appeal by Timely filing. The Rule provides that a Notice of Appeal must be filed within fifteen (15) calendar days after the date a person receives written notice of the final decision of an alleged grievable action/dismissal or within fifteen (15) calendar days after the effective date of such action, whichever occurs first. Danner's notice of appeal was not filed until (20) twenty days after her termination date.

Danner's Notice of Appeal was not timely filed and she failed to perfect her appeal within the fifteen (15) day time period required by Rule 10.7.5(B) of the Mississippi Appeals Board Administrative Rules.

Therefore, the Motion to Dismiss is granted. The appeal is dismissed with prejudice.

So ORDERED, on this the 5th day of May, 2016.

MISSISSIPPI EMPLOYEE APPEALS BOARD

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

Grant M. Fox

HEARING OFFICER