

FILED

APR 25 2014

BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD

EMPLOYEE APPEALS BOARD

TIMOTHY KETIH REED

APPELLANT

VS.

NO.13-065

MISSISSIPPI FORESTRY COMMISSION

APPELLEE

ORDER

The Mississippi Employee Appeals Board issued a Final Written Decision and Order in Appellant, Timothy Reed's appeal of his termination by the Appellee, Mississippi Forestry Commission ("MFC"), on March 27, 2014. Reed filed a written Request for Review by the full Employee Appeals Board on April 14, 2014. On April 17, 2014, MFC filed a Motion to Dismiss Reed's Request for Review because it had not been filed timely.

Rule XXV. A. of the of the Administrative Rules of the Employee Appeals Board states as follows:

- A. Any party aggrieved by the final written decision and order of a presiding hearing officer entered on the hearing of an appeal may file a written Request for Review by the full EAB.
- B. The request must be filed within fifteen days after the date the final order is filed.

Since the final MEAB Order was filed on March 27, 2013, the Request for Full Board Review was required to be filed by Friday, April 11, 2014.

"Timely notice of appeal is a prerequisite to jurisdiction. *Tandy Electronics, Inc. v. Fletcher*, 554 So.2d 308, 310 (Miss. 1989)." *Slay v. Mississippi Department of Agriculture and Commerce*, 771 So. 2d 968 (Miss. App. 2000).

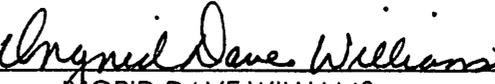
Because timely filing of the Request for Review is a prerequisite for this

tribunal to have jurisdiction to Review the Hearing Officer's Final Decision and Order, and the Request for Review was not timely filed; the Full Mississippi Employee Appeals Board lacks jurisdiction to review the Hearing Officer's Order, and this matter must be dismissed.

For the foregoing reasons Request for Full Board Review is dismissed.

SO ORDERED this the 25th day of April, 2013.

MISSISSIPPI EMPLOYEE APPEALS BOARD

BY: 
GRIGORI DAVE WILLIAMS
Chief Hearing Officer