

BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD

QUENTIN RANDLE

FILED

APPELLANT

VS.

JUL 10 2014

NO. 14-025

MISSISSIPPI DEPARTMENT OF MENTAL HEALTH **EMPLOYEE APPEALS BOARD**

RESPONDENT

ORDER OF DISMISSAL

Presently before the Mississippi Employee Appeals Board is the appeal by Quentin Randle (hereafter "Randle") from his termination of employment with the Mississippi Department of Mental Health. Having considered all documents in the record, the Mississippi Employee Appeals Board dismisses this case for lack of subject matter jurisdiction. The reasons for the dismissal follow.

The Mississippi Employee Appeals Board received Randle's Notice of Appeal on June 20, 2014. However, Randle did not submit the required \$100.00 filing fee.

By letter dated June 23, 2014, the Mississippi Employee Appeals Board notified Randle of the deficiency in his filing and that he had ten (10) days to remit the required \$100.00 filing fee or his appeal would be dismissed. Randle did not remit payment of the filing fee, nor has Randle contacted the Mississippi Employee Appeals Board.

The Administrative Rules of the Mississippi Employee Appeals Board are clear. All employees who wish to appeal an adverse employment decision must pay a non-refundable fee of \$100.00 with each Notice of Appeal. Specifically, the *Mississippi State Personnel Board Policy and Procedure Manual* states as follows:

Rule 10.7.5 Perfection of Appeal by Timely Filing

A.

B.

- C. A non-refundable fee of one hundred dollars (\$100.00) in the form of a cashier's check, bona fide attorney's check, or money order made payable to the "Mississippi Employee Appeals Board" shall be filed by the appealing party with each Notice of Appeal. Cash or personal checks will not be accepted.

Further, Rule 10.7.7 of the *Mississippi State Personnel Board Policy and Procedure Manual* provides "When an appeal is filed, a presiding hearing officer shall determine whether or not he or she has jurisdiction. If not, the appeal shall be dismissed."

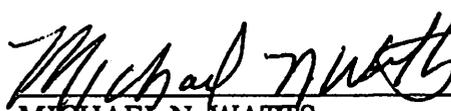
To properly perfect an appeal of his termination, Randle was required to remit payment of the \$100.00 filing fee.

The Notice of Appeal was received and filed by the Mississippi Employee Appeals Board on June 20, 2014. By letter dated June 23, 2014, the Mississippi Employee Appeals Board notified Randle of his deficiency in not paying the required \$100.00 filing fee and Randle has been afforded twenty (20) days to remit payment of the required filing fee. Randle has not paid the required fee and has not contacted the Mississippi Employee Appeals Board. Accordingly, Randle failed to timely perfect his appeal and the Mississippi Employee Appeals Board lacks subject matter jurisdiction. For the foregoing reasons, the appeal of Quentin Randle is DISMISSED, with prejudice.

SO ORDERED THIS THE 10th DAY OF JULY, 2014.

MISSISSIPPI EMPLOYEE APPEALS BOARD

By:



MICHAEL N. WATTS

Presiding Hearing Officer