

BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD

SHERRI MCDONALD

FILED
MAY 11 2015

APPELLANT

VS.

CAUSE NO. 15-011

MISSISSIPPI STATE DEPARTMENT OF HEALTH

EMPLOYEE APPEALS BOARD

APPELLEE

ORDER GRANTING MOTION TO DISMISS

On March 27, 2015, Sherri McDonald (hereafter "McDonald") filed a Notice of Appeal with the Mississippi Employee Appeals Board (hereafter "MEAB"), specifically requesting the EAB to address a grievance with the Mississippi State Department of Health (hereafter "MSDH"). On April 14, 2015, MSDH filed a Motion to Dismiss.

Pursuant to the undersigned hearing officer's request, a pre-hearing conference was held on April 24, 2015, to address and hear arguments on the MSDH's Motion to Dismiss, and the hearing officer after considering the parties' oral arguments and considering same, finds the record clearly shows the Appellant, McDonald, tendered her resignation of employment, effective March 31, 2015, after her appeal to the MEAB. The hearing officer finds that McDonald's appeal is not properly before the MEAB. Thus, the MEAB lacks subject matter jurisdiction over this matter. The Appellee's Motion to Dismiss is hereby granted. McDonald's appeal is hereby dismissed, with prejudice.

So Ordered and Adjudged, this the 11th day of May, 2015.

Mississippi Employee Appeals Board


B. Ray Therrell, II
Presiding Hearing Officer