

**HEARING OFFICER, CAREER SERVICE BOARD  
CITY AND COUNTY OF DENVER, COLORADO**  
Appeal No. 13-11

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**ORDER**

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IN THE MATTER OF THE APPEAL OF:

**MATHEWS CAROTHERS**, Appellant,

vs.

**DEPARTMENT OF SAFETY, DENVER SHERIFF'S DEPARTMENT**,  
and the City and County of Denver, a municipal corporation, Agency.

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Appellant has filed a combined motion requesting leave to take a deposition and to extend the deadline for same.

The Agency objects on the grounds that the Appellant did not state that Director Gary Wilson would not be available to testify at hearing.

The Career Service Rules provide for limited discovery. Depositions are permitted if it is not feasible for a subpoenaed witness to appear at hearing. CSR § 19-45 D. Since Appellant does not allege the witness is unavailable to testify, depositions are not authorized by the Rules.

ORDER

Based on the foregoing findings and conclusions, the following order is entered:

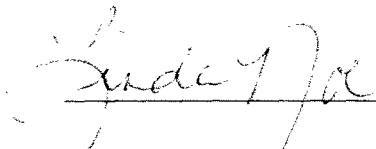
1. Appellant's motion for deposition is denied.
2. Appellant's motion for extension is denied.

DONE May 3, 2011.

  
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Bruce A. Plotkin  
Career Service Hearing Office

I certify that on April 7, 2011, I delivered a copy of this Order to the following in the manner indicated:

Mr. Mathew Carothers, <a href="mailto:mattcarothers@hotmail.com">mattcarothers@hotmail.com</a>	(via email);
Marcy McDermott, Esq., <a href="mailto:mmcdermott@fostergraham.com">mmcdermott@fostergraham.com</a>	(via email);
Dan Foster, <a href="mailto:Danny@fostergraham.com">Danny@fostergraham.com</a>	(via email);
Lori Uhlberg, <a href="mailto:luhlberg@fostergraham.com">luhlberg@fostergraham.com</a>	(via email);
City Attorney's Office at <a href="mailto:Dlefilng.litigation@denvergov.org">Dlefilng.litigation@denvergov.org</a>	(via email);
Ms. Lili Tran, HR., Lili. <a href="mailto:Tran@denvergov.org">Tran@denvergov.org</a>	(via email).

  
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