

CAREER SERVICE BOARD, CITY AND COUNTY OF DENVER, STATE OF COLORADO

Appeal Nos. 87-06 and 46-07

FINDINGS AND ORDER

IN THE MATTER OF THE APPEAL OF:

MICHELLE FELIX,

Appellant/Petitioner,

vs.

DEPARTMENT OF HUMAN SERVICES,
and the City and County of Denver, a municipal corporation,

Agency/Respondent.

This matter is before the Career Service Board on Ms. Felix's Petition for Review to reopen and reconsider cases 87-06 and 46-07. The Board **DISMISSES** this appeal on the grounds outlined below.

FINDINGS

Ms. Felix has filed a variety of career service appeals prior to and following her disqualification from employment on November 21, 2007. In this petition, she asks the Board to reopen and reconsider two career service appeals that were fully and finally decided in 2007. As grounds, Ms. Felix relies on Rule 60(b) of the Colorado Rules of Civil Procedure. This rule, however, is a state court rule; it has no applicability to the Career Service Board. There is no provision in the career service rules that authorizes the Board to reopen and reconsider prior appeals and therefore the Board does not have jurisdiction over Ms. Felix's petition.

ORDER

IT IS THEREFORE ORDERED that this appeal is **DISMISSED** for lack of subject matter jurisdiction.

SO ORDERED by the Board on May 7, 2009, and documented this
14th day of May, 2009.

BY THE BOARD:



Co-Chair Luis Toro

Board Members Concurring:

Patti Klinge
Tom Bonner


CERTIFICATE OF DELIVERY

I certify that I delivered a copy of the foregoing **FINDINGS AND ORDER** on
May 15, 2009, in the manner indicated below, to the following:

Ms. Michelle Felix (via U.S. Mail)
P.O. Box 18864
Denver, CO 80218

Robert Wolf, Asst. City Attorney, dlefilng.litigation@denvergov.org (via email)

CSA Hearing Office CSAHearings@denvergov.org (via email)



Leon Duran