



BEFORE THE
GUAM CIVIL SERVICE COMMISSION



IN THE MATTER OF:

JAMES A GUZMAN,

Employee,

vs.

DEPARTMENT OF MENTAL
HEALTH AND SUBSTANCE ABUSE,

Management.


ADVERSE ACTION APPEAL
CASE NO. 12-AA24T


DECISION AND JUDGMENT

This matter came before the Civil Service Commission at a meeting held on March 12, 2013 for the Department of Mental Health and Substance Abuse management's ("DMHSA") Motion to Dismiss. The Motion to Dismiss was filed by DMHSA on November 14, 2012. Employee James A. Guzman ("Guzman") filed no opposition, nor did he appear at the March 12 hearing. The DMHSA was represented by Assistant Attorney General Donna Lawrence and its director, Rey Vega.

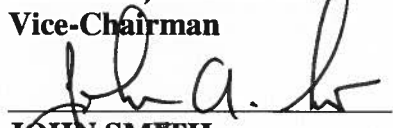
The Final Notice of Adverse Action in this matter was served on Guzman on September 28, 2012. Guzman filed his appeal of the adverse action with the Civil Service Commission on October 31, 2012. Four G.C.A. § 4406 requires that any appeal must be filed within twenty (20) days of receipt. Guzman's filing of his appeal was tardy and therefore the Civil Service Commission lacks jurisdiction over this adverse action appeal.

1 So adjudged this 9th day of April, 2013 as determined by a vote of 6-0 on March 12,
2 2013.


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5 **LUIS R. BAZA**
6 **Chairman**

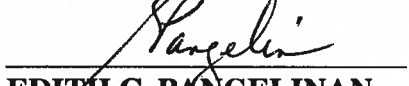
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5 **MANUEL R. PINAUIN**
6 **Vice-Chairman**

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7 **PRISCILLA T. TUNCAP**
8 **Commissioner**

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7 **JOHN SMITH**
8 **Commissioner**

8 **NOT PRESENT**
9 **LOURDES HONGYEE**
10 **Commissioner**

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9 **DANIEL B. LEON GUERRERO**
10 **Commissioner**

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11 **EDITH C. PANGELINAN**
12 **Commissioner**