

**STATE PERSONNEL BOARD, STATE OF COLORADO**  
Case No. 2020B057

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**ORDER OF THE STATE PERSONNEL BOARD AFFIRMING THE ADMINISTRATIVE LAW JUDGE'S ORDER GRANTING MOTION FOR SUMMARY JUDGMENT**

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**GARY D. PACHECO,**  
Complainant,

v.

**DEPARTMENT OF CORRECTIONS, DENVER COMPLEX,**  
Respondent.

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This matter is before the Colorado State Personnel Board ("Board") at its public meeting held on September 15, 2020. During the public meeting, the Board considered the appeal of the Administrative Law Judge's Order Granting Respondent's Motion for Summary Judgment, including but not limited to:

1. Order Granting Respondent's Motion for Summary Judgment;
2. Complainant's Opening Brief;
3. Respondent's Answer Brief; and
4. Complainant's Reply Brief.

Based upon the Board's review and consideration, and by an affirmative vote of members of the Board, **IT IS HEREBY ORDERED** that the Administrative Law Judge's Order Granting Respondent's Motion for Summary Judgment is **AFFIRMED**.

Dated this 15<sup>th</sup> day  
Of **September 2020**.

  
Nora Kelly, Board Chair  
State Personnel Board  
1525 Sherman Street, 4<sup>th</sup> Floor  
Denver, CO 80203

**NOTICE OF APPEAL**

1. To abide by the decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 49 days pursuant to Section 24-50-125.4(3), C.R.S., in the method described at Section 24-4-106(11), C.R.S., and in accordance with applicable Colorado Appellate Rules.

In the event this decision is appealed, the party filing the appeal with the Court of Appeals must name in the appeal and serve such appeal upon the State Personnel Board and all other parties who have appeared as parties to this action. See Section 24-4-106(11)(d), C.R.S. The State Personnel Board can be served at: 1525 Sherman Street, 4<sup>th</sup> Floor, Denver, Colorado 80203.

**CERTIFICATE OF SERVICE**

This is to certify that on the \_\_\_\_\_ day of **September 2020** I electronically served a true copy of the foregoing **ORDER OF THE STATE PERSONNEL BOARD AFFIRMING THE ADMINISTRATIVE LAW JUDGE'S ORDER GRANTING MOTION FOR SUMMARY JUDGMENT** as follows:

Gary D. Pacheco



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