

BEFORE THE MERIT EMPLOYEE RELATIONS BOARD  
OF THE STATE OF DELAWARE

COPY

IN THE MATTER OF

MARK BARCUS, )

Grievant )

v. )

DEPARTMENT OF PUBLIC SAFETY )

STATE OF DELAWARE, Agency )

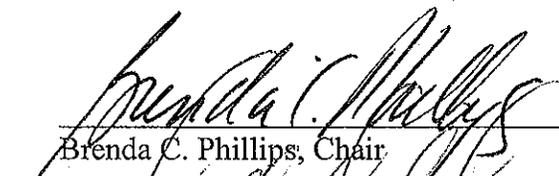
DOCKET NO. 02-09-278

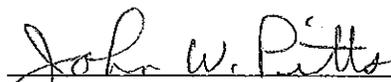
ORDER OF DISMISSAL

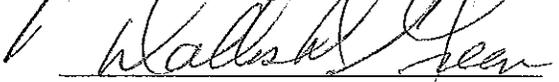
BEFORE Brenda C. Phillips, Chair, John W. Pitts, Paul R. Houck and Dallas Green, Members, constituting a quorum of the Merit Employee Relations Board pursuant to 29 Del. C. § 5908(a).

AND NOW, this 15th day of May, 2003, it appears to the Board that the Grievant, Mark Barcus, has abandoned his appeal to the Merit Employee Relations Board as he has not responded to the phone messages and written correspondence issued by the Board's administrative assistant. Further, the Board has received a letter from Roy S. Shiels, Esquire stating that he no longer represents Mr. Barcus. Deputy Attorney General, Ilona Kirshon, concurs with this dismissal.

IT IS ORDERED that the grievance has been abandoned and this matter is **DISMISSED**.

  
Brenda C. Phillips, Chair

  
John W. Pitts, Member

  
Dallas Green, Member

  
Paul R. Houck, Member

Original: File  
Copies: Grievant  
Agency  
Agency's Representative  
Merit Employee Relations Board  
State Personnel Office (3 copies)

DATE MAILED

May 19, 2003

BRENDA C. PHILLIPS, CHAIRPERSON  
PAUL R. HOUCK, BOARD MEMBER  
DALLAS GREEN, BOARD MEMBER  
JOHN W. PITTS, BOARD MEMBER  
JOHN F. SCHMUTZ, BOARD MEMBER

PHONE: (302) 739-6772  
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STATE OF DELAWARE  
MERIT EMPLOYEE RELATIONS BOARD  
MARGARET M. O'NEILL BUILDING, 2<sup>ND</sup> FLOOR  
410 FEDERAL STREET, SUITE 4  
DOVER, DELAWARE 19901

April 17, 2003

Mr. Mark Barcus  
P.O. Box 450  
Clayton, DE 19938

Re: Barcus v. Dept. of Public Safety  
Docket No. 02-09-278

Dear Mr. Barcus:

The Merit Employee Relations Board had reserved this date for a hearing on the appeal of your termination by the Department of Public Safety. I have received a letter from Roy Shiels, Esq., who advised me that he was no longer representing you. I have called your home several times leaving word for you to contact me. On two occasions I talked with your wife who informed me that you were not going to proceed with your appeal. I told her that I would need affirmation of that from you in writing. To date, I have received neither the requested letter or phone call.

This letter will serve as notice that you have ten (10) days from the date of this letter to advise me, in writing, of your decision to either proceed with the appeal or withdraw it. Failure to respond will result in a written order dismissing your appeal due to abandonment instead of withdrawal.

I hope to hear from you next week.

Sincerely,

A handwritten signature in cursive script that reads "Jean Lee Turner".

Jean Lee Turner  
Administrative Assistant

jlt

cc: Brenda C. Phillips, Chair – Merit Employee Relations Board  
Michael M. Tischer, Deputy Attorney General, Counsel to MERB