BEFORE THE MERIT EMPLOYEE RELATIONS BOARD
OF THE STATE OF DELAWARE

COPY

Kenneth M. Reese, Grievant	)	
v.	)	
Department of Health and Social Services	)	Docket Number 05-02-320
State of Delaware, Agency	)	ORDER OF DISMISSAL

Before Brenda C. Phillips, Chairperson, John F. Schmutz, Bernice M. Edwards and Paul R. Houck, Board Members, constituting a quorum of the Board pursuant to 29 Del. C. Section 5908(a).

And now, this 7th day of September, 2005, it appears to the Board that the grievant, Kenneth M. Reese, has abandoned his appeal to the Board (see copies of attached letters from the Board's administrative assistant to Mr. Reese over the last few weeks with no response to any of them.) Further, the Department of Health & Social Services, through their representative, Ilona Kirshon, Deputy Attorney General, does not object to this action.

Therefore, IT IS ORDERED that the appeal is DISMISSED due to its being abandoned by the appellant.

Brenda C. Phillips, Chairperson

Bernice Edwards, Member

John F. Schmutz, Member

Paul R. Houck, Member

Original: File
Copies: Grievant
Grievant's Representative
Agency
Agency's Representative
Board
State personnel Office (2 copies)

DATE MAILED Sept. 8, 2005

BRENDA C. PHILLIPS, CHAIRPERSON
PAUL R. HOUCK, BOARD MEMBER
BERNICE M. EDWARDS, 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, SUITE 213
410 FEDERAL STREET, BOX 4
DOVER, DELAWARE 19901

August 31, 2005

Mr. Kenneth M. Reese
2596 Westville Road
Marydel, DE 19964

Re: Kenneth M. Reese v. DHSS
Docket No. 05-02-320

Dear Mr. Reese:

I wrote to you on August 5, 2005 asking you if you still had plans to continue with the appeal process even though you have left State employment on a disability pension. To date, I have not received a response from you/

I am again writing today to ask if you are planning to continue the appeal process or have decided that you no longer wish to pursue this appeal. If that is the case, please drop me a note in the mail notifying me of your intention to withdraw your appeal. If I don't hear from you by September 6th I will assume that you do not wish to continue this process and will advise the Board that the appeal should be dismissed.

If you have any questions, please do not hesitate to call me.

Sincerely,

Jean Lee Turner

Jean Lee Turner
Administrative Assistant

jlt

cc: Ilona Kirshon, Deputy Attorney General, Counsel
Allison E. Reardon, Deputy Attorney General, Counsel to MERB

BRENDA C. PHILLIPS, CHAIRPERSON
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August 5, 2005

Mr. Kenneth M. Reese
2596 Westville Road
Marydel, DE 19964

Re: Kenneth M. Reese v. DHSS
Docket No. 05-02-320

Dear Mr. Reese:

I apologize that it has taken so long to contact you about setting a hearing date for your grievance. I was making some preliminary calls earlier this week to see about scheduling a date and time for the hearing when I was advised that you had left State employment on a disability pension.

I'm writing today to ask if you are planning to continue the appeal process or have decided that you no longer wish to pursue this appeal. If that is the case, please notify me in writing of your intention to withdraw your appeal. I hope to hear from you early next week.

If you have any questions, please do not hesitate to call me.

Sincerely,

Jean Lee Turner

Jean Lee Turner
Administrative Assistant

jlt

cc: Ilona Kirshon, Deputy Attorney General, Counsel
Allison E. Reardon, Deputy Attorney General, Counsel to MERB