

**BEFORE THE PERSONNEL BOARD OF THE STATE OF ALABAMA  
IN THE MATTER OF THE APPEAL OF  
KELVIN LANG**

**ORDER**

**May 15, 2024**

This matter came before the Board following the Alabama Department of Corrections (“ADOC”) dismissal of the Employee. ADOC dismissed the Employee effective October 7, 2020, following an August 26, 2020, pre-dismissal conference. On October 20, 2020, the Employee filed his appeal to the State Personnel Board. The Administrative Law Judge conducted a pre-hearing conference and the Parties agreed to a December 15, 2020, hearing date.

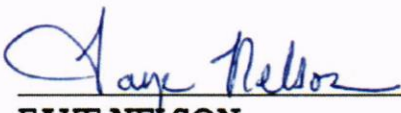
Thereafter, the Administrative Law Judge granted a Motion to Continue the Parties filed jointly. On or about February 10, 2021, the Employee requested a new hearing date and the Administrative Law Judge set the hearing for March 16, 2021. On March 12, 2021, the Employee filed a Motion to Continue pending resolution of a criminal investigation and the Administrative Law Judge granted that motion.

On March 27, 2024, ADOC provided the Administrative Law Judge an update stating the Employee had pled guilty on June 21, 2023. On March 28, 2024, the Administrative Law Judge issued an Order requiring the Employee notify the Board if the Employee intended to continue to pursue his appeal. The Order required the Employee to respond by close of business on April 11, 2024. The Employee failed to respond to the March 28, 2024, Order. Therefore, the Administrative Law Judge recommended the Board dismiss the Employee’s appeal for failure to prosecute.

The Board has carefully considered the record before the Administrative Law Judge and his Recommendation to dismiss with prejudice

for failure to prosecute. Therefore, it is the Order of the Board that the appeal is DISMISSED WITH PREJUDICE.


  
\_\_\_\_\_  
**LAURY B. MORGAN**  
SECRETARY

  
\_\_\_\_\_  
**FAYE NELSON**  
CHAIR

  
\_\_\_\_\_  
**EVAN M. THORNTON**  
MEMBER

  
\_\_\_\_\_  
**DAVID R. MELLON**  
MEMBER

  
\_\_\_\_\_  
**CAROLYN FAIR**  
MEMBER

  
\_\_\_\_\_  
**PHIL WEBB**  
MEMBER