

**BEFORE THE ALABAMA
STATE PERSONNEL BOARD
IN THE MATTER OF**

| | | |
|------------------------------|---|---------------------------|
| Larry Williams, |) | |
| |) | |
| Appellant, |) | |
| |) | |
| v. |) | CASE NO. 22-09-RCS |
| |) | |
| Alabama Department of |) | |
| Mental Health |) | |
| |) | |
| |) | |
| Appellee. |) | |

**RECOMMENDATION TO THE
STATE PERSONNEL BOARD**

On January 5, 2022, Appellant filed an employee dismissal appeal. On January 12, 2022, a pre-hearing conference was held and the parties selected February 11, 2022, as the hearing date.

On February 8, 2022, Appellant filed an unopposed Motion to Continue, representing the parties were engaged in settlement negotiations, and a settlement was reached, but the Appellant needed additional time to sign the paperwork. The Motion was “Granted.”

On June 23, 2022, Counsel for Appellant filed a Motion to Withdraw and Request for Continuance. Counsel for Appellant indicated there was an irretrievable breakdown in the relationship between Counsel and Appellant. The Motion to

Withdraw was “Granted” that same date and the undersigned Ordered the Appellant and Appellee to participate in a telephone status conference call on Friday, July 8, 2022, at 10:00 a.m. The parties were instructed to contact the undersigned’s office with a telephone number prior to the call. Furthermore, the order stated, “Failure by either party to participate in the conference call may be grounds for the action to be Dismissed.” On July 8, 2022, the undersigned attempted to contact both parties by telephone. Appellee provided a valid phone number and was reached on the first attempt. Appellant failed to provide a valid phone number. During the call, Appellee provided a phone number for Appellant. That number had a voice mailbox that had not been set up. Since Appellant did not participate in the telephone status conference, another Order was issued on July 8, 2022. That Order required Appellant to notify the undersigned in writing of his intent to pursue his employee dismissal appeal by close of business on Friday, July 22, 2022. The Order stated, “Failure to comply with this Order will result in the case being recommended for dismissal.” Appellant failed to respond to the July 22, 2022, Order.

Wherefore premises considered, it is the recommendation of the undersigned that the appeal should be **DISMISSED WITH PREJUDICE**, for failure to prosecute.

Done, this 29th day of July 2022.



Randy C. Sallé
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