

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


<b>Nicholas Neve,</b>	)	
	)	
<b>Appellant,</b>	)	<b>CASE NO. 23-16-RCS</b>
	)	
<b>v.</b>	)	
	)	
<b>Alabama Department of Corrections,</b>	)	
	)	
<b>Appellee.</b>	)	

**RECOMMENDED ORDER TO THE STATE PERSONNEL BOARD**

On August 11, 2023, the undersigned received a Motion to Withdraw the Employee Dismissal Appeal from Appellant, attached as Exhibit A, indicating the Appellant's desire to withdraw his appeal before the Alabama State Personnel Board.

The undersigned recommends that Appellant be permitted to withdraw his appeal and that this matter be DISMISSED WITH PREJUDICE.

Done, this the 11<sup>th</sup> day of August 2023.

  
\_\_\_\_\_  
**Randy C. Sallé**  
Administrative Law Judge  
State Personnel Department  
64 North Union Street  
Montgomery, Alabama 36130  
Telephone: (334) 242-8353  
Facsimile: (334) 353-9901

**VIA EMAIL AND FIRST-CLASS U.S. MAIL:**

Joe N. Lampley, Esq.  
Law Offices of Joe N. Lampley  
1330 Washington Street NW  
Huntsville, Alabama 35801  
Telephone: (256) 535-2226  
Email: [Joe.Lampley@lampleylawoffices.com](mailto:Joe.Lampley@lampleylawoffices.com)

Thomas McCarthy, Esq.  
Alabama Department of Corrections  
301 South Ripley Street  
Montgomery, AL 36104  
Telephone: (334) 353-5495  
Email: [Thomas.McCarthy@doc.alabama.gov](mailto:Thomas.McCarthy@doc.alabama.gov)

# JNL

Joe N. Lampley, Esquire  
[Joe.Lampley@lampleylawoffices.com](mailto:Joe.Lampley@lampleylawoffices.com)

Law Office of Joe N. Lampley  
1330 Washington Street NW  
Huntsville, Alabama 35801  
Office: (256) 535-2226  
Fax: (256) 535-2227

Whitney E. Tillman, Esquire  
[WTillmanLaw@gmail.com](mailto:WTillmanLaw@gmail.com)

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Via Facsimile Transmission To (334) 242-1110 and First Class Mail

August 10, 2023

State Personnel Director  
ATTN: NOTICE OF APPEAL  
State Personnel Department  
300 Folsom Administrative Building  
Montgomery, Alabama 36130-4100

Re: Nicholas Alan Neve

Dear Personnel Director:

I have read Attorney Thomas M. McCarthy's Alabama Department of Corrections' Statement of Facts, and have given a copy to Nicholas Alan Neve. Based on the latter, Mr. Neve is of the opinion that he was terminated during his probationary period, and as such he has decided not to appeal the Alabama Department of Corrections' action terminating his employment. Therefore, Mr. Neve withdraws/dismisses his appeal of the Alabama Department of Corrections' action terminating his employment.

I, Nicholas Alan Neve, sign my name to this instrument this 10<sup>th</sup> day of August 2023, and being first duly sworn do hereby declare to the undersigned authority that I read the above; that I swear or affirm that the matters stated therein are true and correct to the best of my knowledge, information and belief; that I execute it as my free and voluntary act for the purposes therein expressed, and that I am 19 years of age or older, of sound mind, and under no constraint or undue influence.

Dated this 10<sup>th</sup> day of August 2023.

  
\_\_\_\_\_  
Nicholas Alan Neve

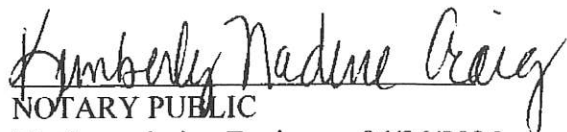
STATE OF ALABAMA

STATE OF ALABAMA

MADISON COUNTY

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Nicholas Alan Neve whose name is signed to the foregoing Affidavit and who is known to me, who being first duly sworn on oath acknowledged before me on this day, that being informed of the contents of said Affidavit swears or affirms that the matters stated therein are true and correct to the best of his knowledge, information and belief, and he executed the same voluntarily on the day the same bears date.

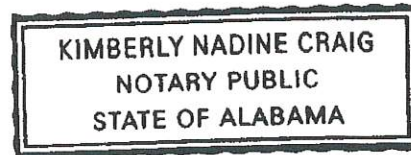
GIVEN under my hand this the 10<sup>th</sup> day of August 2023.

  
NOTARY PUBLIC  
My Commission Expires: 04/26/2026

Sincerely,



Joe N. Lampley  
Attorney at Law



/jnl

Cc: Attorney Thomas M. McCarthy via e-mail to [Thomas.mccarthy@doc.alabama.gov](mailto:Thomas.mccarthy@doc.alabama.gov)  
Agent Benson via e-mail to