

**BEFORE THE
STATE EMPLOYEES' APPEALS COMMISSION**

IN THE MATTER OF:

PETER DAZA)
Petitioner,)
) SEAC No. 01-16-007
vs.)
)
INDIANA DEPARTMENT OF)
TRANSPORTATION)
Respondent.)

ISSUED

DEC 06 2018

**STATE EMPLOYEES'
APPEALS COMMISSION**

**FINAL ORDER
OF THE STATE EMPLOYEES' APPEALS COMMISSION**

On November 13, 2018, the assigned Administrative Law Judge (ALJ) issued notice and a copy of "Findings of Fact, Conclusions of Law and Non-Final Order of Administrative Law Judge" granting summary judgment to Respondent Indiana Department of Transportation ("Respondent") (the "ALJ's Order"), which is hereby incorporated by reference as if fully set forth in this document. Petitioner Daza timely filed objections, to which Respondent replied.

Thereafter, on December 6, 2018, the Commission held a public oral argument on this matter during its regular meeting. Petitioner appeared by counsel, Mr. Richard Darst. Respondent appeared by counsel, Ms. Linda Jelks. Upon public deliberation, motion and 4-0 (unanimous) vote at that meeting, the Commission **AFFIRMED** the ALJ's Order in its entirety.

Accordingly, the ALJ's Order is hereby adopted in its entirety as the Findings of Fact, Conclusions of Law and Final Order of the Commission pursuant to the public Commission decision. Ind. Code § 4-21.5-3. This written copy of the order is thus issued on the Commission's behalf by the undersigned.

The Commission is the ultimate authority, and the action is its Final Order and determination in this matter. A person who wishes to seek judicial review must file a petition with an appropriate court within thirty (30) days and must otherwise comply with I.C. § 4-21.5-5.

DATED: December 6, 2018



Hon. Gabriel Paul
Chief Administrative Law Judge
State Employees' Appeals Commission
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