



A-20

**STATE OF NEW JERSEY**

In the Matter of Cashtea Cooley  
 City of Camden  
 Police Department

**FINAL ADMINISTRATIVE ACTION  
 OF THE  
 CIVIL SERVICE COMMISSION**

CSC DKT. NO. 2011-1562  
 OAL DKT. NO. CSV 11156-10

***Corrected Copy***

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**ISSUED: March 12, 2015 PM**

The appeal of Cashtea Cooley, a Police Officer with the City of Camden, Police Department, 90 working day suspension, on charges, was heard by Administrative Law Judge Robert Bingham, III, who rendered his initial decision on January 9, 2015. No exceptions were filed.

Having considered the record and the Administrative Law Judge's initial decision, and having made an independent evaluation of the record, the Civil Service Commission, at its meeting on February 4, 2015, accepted and adopted the Findings of Fact and Conclusion as contained in the attached Administrative Law Judge's initial decision.

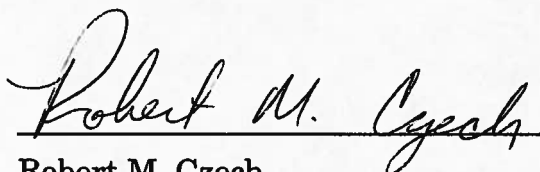
**ORDER**

The Civil Service Commission grants the motion to dismiss the appeal for failure to appear without prejudice.

Re: Cashtea Cooley

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
FEBRUARY 4, 2015



Robert M. Czech  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Henry Maurer  
Director  
Division of Appeals  
and Regulatory Affairs  
Civil Service Commission  
Unit H  
P. O. Box 312  
Trenton, New Jersey 08625-0312

attachment



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

**DISMISSAL**

OAL DKT. NO. CSV 11156-10

AGENCY DKT. NO. 2011-1562

**IN THE MATTER OF CASHTEAL COOLEY,  
CITY OF CAMDEN POLICE DEPARTMENT.**

---

**Timothy J.P. Quinlan, Esq.,** for petitioner (Quinlan, Nigro & Kempf, LLC,  
attorneys)

**Caryl M. Amana, Esq.,** for respondent

Record Closed: December 1, 2014

Decided: January 9, 2015

**BEFORE ROBERT BINGHAM II, ALJ**

By Final Notice of Disciplinary Action (FNDA) dated September 24, 2010, respondent, City of Camden Police Department, issued a ninety-day suspension without pay to appellant, Cashteal Cooley, effective September 28, 2010. Cooley appealed and this matter was transmitted to the Office of Administrative Law (OAL), where it was filed on October 15, 2010, for a hearing. N.J.S.A. 52:154B-1 to -15 and N.J.S.A. 52:14F-1 to -13. The parties reached a settlement that included appellant's resignation, and the undersigned administrative law judge (ALJ) signed an Initial Decision Settlement dated February 28, 2011 (transmitted on March 4, 2011). However, the matter was reopened on March 29, 2011, to cure defects in the parties' settlement agreement.

By letters dated December 27, 2011 (C-1); September 26, 2012 (C-2); August 12, 2013 (C-3); and November 14, 2014 (C-4), the undersigned ALJ requested specific information required to cure the parties' settlement agreement, including: appellant's date of resignation, the number of days served on suspension, and confirmation as to whether wages withheld during suspension were reimbursed. Both parties agree that appellant did in fact resign in or about September 2010, and appellant's attorney has been unable to contact him because his whereabouts are unknown. As specified in this ALJ's letter dated November 14, 2014, and as was discussed in a final telephone conference on November 12, 2014, this matter would be dismissed if the requisite documentation was not filed by December 1, 2014. To date, it has not been received. Despite their efforts that yielded limited information, counsel for the parties ultimately were unable to jointly submit any addendum with all of the required information, and the appellant is unavailable to further his appeal.

Absent exigent circumstances, an appellant's failure to prosecute a matter should generally result in its dismissal. In re Thompson, City of Newark, CSV 05511-06, Final Decision (October 24, 2007), <<http://njlaw.rutgers.edu/collections/oal>>. Here, where appellant resigned from his position at or about the time of his suspension, the circumstances do not warrant just cause to excuse further delay or appellant's inability to perfect his appeal.

Accordingly, I **CONCLUDE** that appellant has failed to prosecute his appeal which, in any event, has essentially been made moot by virtue of his resignation.

### **ORDER**

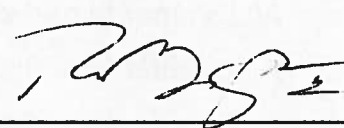
Therefore, I **ORDER** that this case be and is hereby **DISMISSED WITH PREJUDICE**.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, PO Box 312, Trenton, New Jersey 08625-0312**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

January 9, 2015  
DATE

  
\_\_\_\_\_  
**ROBERT BINGHAM II, ALJ**

Date Received at Agency: Jan 9 2015

Date Mailed to Parties: 1-12-15

/bdt

**APPENDIX**

**EXHIBITS**

**For Appellant:**

None

**For Respondent:**

None

**EXHIBITS**

**Court:**

- C-1 ALJ's letter to parties dated December 27, 2011
- C-2 ALJ's letter to parties dated September 26, 2012
- C-3 ALJ's letter to parties dated August 12, 2013
- C-4 ALJ's letter to parties dated November 14, 2014

**For Appellant:**

None

**For Respondent:**

None