



**STATE OF NEW JERSEY**

In the Matter of Alonzo Hobbs,  
Judiciary Clerk 2 (S1462D),  
Judiciary, Vicinage 5, Essex

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

CSC Docket No. 2024-77

List Removal Appeal

**ISSUED:** November 1, 2023 (SLK)

Alonzo Hobbs appeals the decision to remove his name from the Judiciary Clerk 2 (S1462D), Judiciary, Vicinage 5, Essex eligible list on the basis of an unsatisfactory background report.

The appellant took the open competitive examination for Judiciary Clerk 2 (S1462D), Judiciary, Vicinage 5, Essex, which had an October 21, 2022, closing date, achieved a passing score, and was ranked on the subsequent eligible list. His name was certified (OS230088) and he was ranked as the 133<sup>rd</sup> candidate. In seeking his removal, the appointing authority indicated that the appellant had an unsatisfactory background report. Specifically, the appointing authority’s investigation revealed that the appellant, in 2007, had been found guilty of Dumping on Lands Prohibited and Disorderly Conduct-Improper Behavior-Create Hazardous Conduct. Additionally, he had been arrested on October 26, 2022, for *N.J.S.A. 2C:20-9*, Theft by Failure to Make Required Disposition of Property Received.

On appeal, the appellant explains that while working for his previous employer, he was multi-tasking and had a client’s personal papers in his personal vehicle while grocery and personal shopping for the household. He indicates that this was not uncommon for him as the group home manager since they were short staffed due the COVID-19 pandemic. The appellant states that while he was helping a family member who was suffering from substance abuse, his client’s money order was stolen out of his vehicle. He highlights that when the matter was brought to his attention,

he replaced the money from his personal account to cover the client's bill. The appellant presents that the court appointed attorney informed him that the matter was dismissed since he took responsibility and replaced the stolen money order. The attorney advised him that the court would have asked him to make restitution, and since he already had, there was no need for him to report to court as she would ask for the matter to be dismissed. The appellant states that this is all he has ever known about this matter, and he was not aware that the matter ever made it to his record, which could be discovered in a background check. He indicates that the incident left him feeling extremely bad knowing that one of the family members who was dealing with substance abuse, stole from him. The appellant provides that he is now very alert and watchful, but in the case, the individual was able to steal from both his client and him. He reiterates that he had no understanding that this matter made it to his permanent record. The appellant submits a notice from the court that indicates that the matter had been administratively dismissed. He emphasizes that he had been in the business of helping others most of his life, and he generally places the needs of others before his own. The appellant asserts that it is disturbing that this incident is contained in his file. He notes that the State denied him unemployment benefits due to this incident, and he feels that he is receiving a double penalty by being removed from the subject eligible list. The appellant requests that the Civil Service Commission (Commission) reconsider the removal of his name from the subject eligible list so that he can demonstrate that he is dependable, trustworthy, reliable, and hard working. The appellant claims that his work ethic and morals speak to his commitment to provide professional care with a high standard of customer service within a work environment.

The appointing authority, despite being provided the opportunity, did not provide any arguments in this matter.

## CONCLUSION

*N.J.A.C.* 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)9, allows the Commission to remove an eligible's name from an eligible list for other sufficient reasons. Removal for other sufficient reasons includes, but is not limited to, a consideration that based on a candidate's background and recognizing the nature of the position at issue, a person should not be eligible for appointment. *N.J.A.C.* 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that the decision to remove his name from an eligible list was in error.

The Commission notes that an arrest may warrant removal of an eligible's name where the arrest adversely relates to the employment sought. *See Tharpe v. City of Newark Police Department*, 261 *N.J. Super.* 401 (App. Div. 1992).

In this matter, in 2007, the appellant had been found guilty of Dumping on Lands Prohibited and Disorderly Conduct-Improper Behavior-Create Hazardous

Conduct. Additionally, he had been arrested on October 26, 2022, for *N.J.S.A. 2C:20-9*, Theft by Failure to Make Required Disposition of Property Received. Therefore, the record indicates that based on the appellant's negative interactions with the law, which includes an arrest almost immediately after the October 21, 2022, subject examination closing date, the appellant had an adverse record for employment in the Judiciary. Further, although the appellant submits an April 15, 2023, letter indicating that the October 26, 2022, arrest had been administratively dismissed on April 14, 2023, there is nothing in the record that suggests that the appellant made the appointing authority aware of the dismissal of this incident at the time it made its decision. To the contrary, the appellant states that he was unaware that this matter could be discovered by the appointing authority.<sup>1</sup> Moreover, even if he had, it still may have requested to remove his name from the list based his negative interactions with the law.

### ORDER

Therefore, it is ordered that this appeal be denied.

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  
THE 1<sup>ST</sup> DAY OF NOVEMBER, 2023



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Allison Chris Myers  
Chairperson  
Civil Service Commission

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<sup>1</sup> As the appellant's appeal implies that he did not inform the appointing authority about this arrest since he was unaware that the matter was on his record, the appointing authority could have potentially removed the appellant's name from the subject eligible list for falsification of application. While the appellant may have been unaware that the appointing authority could have discovered the incident, he was certainly aware of the arrest. Believing that an arrest is not on one's record is not grounds for not disclosing it to a public safety or Judiciary appointing authority. Moreover, the appellant's appeal implies that he was terminated from employment due to the arrest in question. Therefore, the appointing authority could have potentially removed the appellant's name from the list due to an adverse employment history. See *N.J.A.C. 4A:4-4.7(a)1*, in conjunction with *N.J.A.C. 4A:4-6.1(a)9*. However, the Commission need not decide these issues as the appellant's name has been removed for an unsatisfactory background report as described above.

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and  
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