



## STATE OF NEW JERSEY

In the Matter of Devon Kelly,  
Gloucester County, Department of  
Emergency Response

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

CSC Docket Nos. 2025-265,  
2025-765,  
2025-766 and  
2025-767

OAL Docket Nos. CSV 16902-24,  
CSV 16908-24,  
CSV 16912-24 and  
CSV 16915-24

**ISSUED: September 2, 2026**

The appeal of Devon Kelly, a Public Safety Telecommunicator, with Gloucester County, Department of Emergency Response, of her removal, effective August 30, 2024, and three suspensions, was before Administrative Law Judge Catherine A. Tuohy (ALJ), who rendered her initial decision on July 27, 2026. No exceptions were filed.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, the Civil Service Commission, at its meeting on September 2, 2026, accepted the recommendation as contained in the attached ALJ's initial decision to dismiss the appeals for the appellant's failure to appear.

**ORDER**

The Civil Service Commission dismisses the appeals of Devon Kelly with prejudice.

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 2<sup>ND</sup> DAY OF SEPTEMBER, 2026

Mary Cruz  
Acting Chairperson

Civil Service Commission  
Inquiries  
and  
Correspondence

Shannon L. Dalton  
Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
P.O. Box 312  
Trenton, New Jersey 08625-0312

Attachment



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

**INITIAL DECISION-DISMISSAL**  
**FAILURE TO APPEAR**

**IN THE MATTER OF DEVON KELLY,  
GLOUCESTER COUNTY, EMERGENCY  
RESPONSE DEPARTMENT,**

OAL DKT. NO. CSV 16902-24  
AGENCY DKT. NO. 2025-763

And

**IN THE MATTER OF DEVON KELLY,  
GLOUCESTER COUNTY, EMERGENCY  
RESPONSE DEPARTMENT,**

OAL DKT. NO. CSV 16908-24  
AGENCY DKT. NO. 2025-765

And

**IN THE MATTER OF DEVON KELLY,  
GLOUCESTER COUNTY, EMERGENCY  
RESPONSE DEPARTMENT,**

OAL DKT. NO. CSV 16912-24  
AGENCY DKT. NO. 2025-766

And

**IN THE MATTER OF DEVON KELLY,  
GLOUCESTER COUNTY, EMERGENCY  
RESPONSE DEPARTMENT.**

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OAL DKT. NO. CSV 16915-24  
AGENCY DKT. NO. 2025-767

**Michael J. DiPiero**, Esq., for respondent, Gloucester County, Emergency Response Department (Brown & Connery, LLP., attorneys)

**Devon Kelly**, appellant pro se

BEFORE **CATHERINE A. TUOHY**, ALJ:

Record Closed: July 27, 2026

Decided: July 27, 2026

BEFORE **CATHERINE A. TUOHY**, ALJ:

### **STATEMENT OF THE CASE**

Appellant, Devon Kelly, a Public Safety Telecommunicator for Gloucester County, appeals her removal pursuant to a Final Notice of Disciplinary Action (FNDA) (31-B) dated August 30, 2024, for violations of N.J.A.C. 4A:2-2.3(a) 1-Incompetency, inefficiency or failure to perform duties; N.J.A.C. 4A:2-2.3(a)2-Insubordination; N.J.A.C. 4A:2-2.3(a)6-Conduct unbecoming a public employee; N.J.A.C. 4A:2-2.3(a)7-Neglect of duty; and N.J.A.C. 4A:2-2.3(a)11-Other sufficient cause. At issue is whether appellant is guilty of the charges presented, and if so, is removal the appropriate penalty.

### **PROCEDURAL HISTORY**

On February 28, 2024, respondent issued a Preliminary Notice of Disciplinary Action (PNDA) (31-A) setting forth the charges and specifications made against the appellant. Appellant did not request a departmental hearing. On August 30, 2024, the respondent issued a Final Notice of Disciplinary Action (FNDA) (31-B) sustaining the charges in the preliminary notice and removing appellant effective August 30, 2024. Appellant filed an appeal on September 25, 2024, and the matter was transmitted by the Civil Service Commission Division of Appeals and Regulatory Affairs to the Office of

Administrative Law (OAL) where it was filed on November 22, 2024, for a hearing as a contested case pursuant to N.J.S.A. 52:14B-1 to 15; N.J.S.A. 52:14F-1 to 13.

A Prehearing Order was entered in this case on March 26, 2025. An Order of Consolidation was entered on December 11, 2025.

### **FACTUAL DISCUSSION AND FINDINGS**

Appellant was initially represented by the law firm of Alterman and Associates, who filed a motion to be relieved as counsel for Ms. Kelly on January 29, 2026. No opposition was filed, and the undersigned entered an Order dated March 3, 2026, granting Mr. Alterman's motion to be relieved as counsel and further ordering that appellant either obtain substitute counsel or appear pro se, with all future notices to be sent to her at her email address. On April 28, 2026, a telephone status conference was conducted, and Ms. Kelly appeared pro se.

Thereafter, further notices of telephone status conferences for May 12, 2026, June 16, 2026, June 29, 2026, and July 16, 2026, were sent to Ms. Kelly and she has failed to appear for all of them. Ms. Kelly has not contacted this tribunal to provide any good cause for her repeated failures to appear.

Based upon the foregoing, I **FIND** as **FACT** that appellant has failed to appear for telephone status conferences scheduled for May 12, 2026, June 16, 2026, June 29, 2026, and July 16, 2026. I also **FIND** as **FACT** that no explanation for the nonappearance of appellant has been received.

### **LEGAL DISCUSSION AND CONCLUSIONS OF LAW**

Pursuant to N.J.A.C. 1:1-14.4(a) "If, after appropriate notice, neither a party nor a representative appears at any proceeding scheduled by the Clerk or judge, the judge shall hold the matter for one day before taking any action. If the judge does not receive an explanation for the nonappearance within one day, the judge shall direct the Clerk to

return the matter to the transmitting agency for appropriate disposition pursuant to N.J.A.C. 1:1-3.3(b) and (c).

This matter was scheduled and noticed for telephone conferences for May 12, 2026, June 16, 2026, June 29, 2026, and July 16, 2026. Appellant was aware of the telephone conferences. She has failed to appear for the telephone conferences. Appellant has not submitted any explanation as to her repeated failures to appear.

Accordingly, I **CONCLUDE** that the appellant has abandoned her appeal and direct the Clerk to return the matter to the transmitting agency.

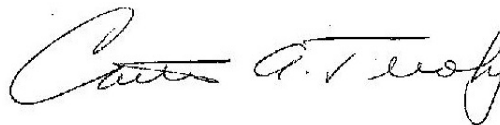
### **ORDER**

It is **ORDERED** that the Clerk shall return this matter to the Department of Personnel, Civil Service Commission – Division of Appeals and Regulatory Affairs for appropriate disposition pursuant to N.J.A.C. 1:1-3.3(b) and (c).

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.



July 27, 2026

DATE

CATHERINE A. TUOHY, ALJ

Date Received at Agency:

July 27, 2026

Date Mailed to Parties:

July 27, 2026

CAT/gd