

**COMMONWEALTH OF MASSACHUSETTS  
CIVIL SERVICE COMMISSION**

One Ashburton Place: Room 503  
Boston, MA 02108  
(617) 727-2293

**RYAN NAVIN,**  
*Appellant*  
v.

**HUMAN RESOURCES  
DIVISION,**  
*Respondent*

**Case No.:** B1-13-287

**ORDER OF DISMISSAL**

On December 20, 2013, the Appellant, Ryan Navin (Mr. Navin), filed an appeal with the Civil Service Commission (Commission), claiming that he was aggrieved because the state's Human Resources Division (HRD) failed to provide him with residency preference for the position of police officer in Waltham.

On February 4, 2014, I held a pre-hearing conference which was attended by counsel for HRD and Mr. Navin. At the pre-hearing conference, HRD argued that Mr. Navin did not live in Waltham continuously for one year prior to the date of the police officer examination on April 20, 2013. As such, HRD argued that Mr. Navin was not entitled to the residency preference he was seeking. Mr. Navin did not dispute that he did not live in Waltham continuously for one year prior to the date of the police officer examination, but argued that living in two (2) different municipalities during the one-year period should not deprive him of the ability to claim residency preference in either community.

I provided HRD with thirty (30) days to file a Motion to Dismiss. Mr. Navin had thirty (30) days thereafter to file a reply. HRD filed a Motion to Dismiss on February 25, 2014. Upon receipt, I reminded Mr. Navin via email that he had thirty (30) days to file a reply. No reply was received.

Based on all of the reasons in HRD's Motion to Dismiss, Mr. Navin's appeal under Docket No. B1-13-287 is hereby *dismissed*.

Civil Service Commission

Christopher C. Bowman  
Chairman

By vote of the Civil Service Commission (Bowman, Chairman; Ittleman, McDowell and Stein, Commissioners) on April 17, 2014.

A True Record. Attest:

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Commissioner

Either party may file a motion for reconsideration within ten days of the receipt of this Commission order or decision. Under the pertinent provisions of the Code of Mass. Regulations, 801 CMR 1.01(7)(1), the motion must identify a clerical or mechanical error in this order or decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A motion for reconsideration does not toll the statutorily prescribed thirty-day time limit for seeking judicial review of this Commission order or decision.

Under the provisions of G.L. c. 31, § 44, any party aggrieved by this Commission order or decision may initiate proceedings for judicial review under G.L. c. 30A, § 14 in the superior court within thirty (30) days after receipt of this order or decision. Commencement of such proceeding shall not, unless specifically ordered by the court, operate as a stay of this Commission order or decision.

Notice to:

Ryan Navin (Appellant)

Andrew Levrault, Esq. (for HRD)