

1 Scott M. McNair (Complainant, Pro Se)

2 [REDACTED]

3 Phoenix, Arizona [REDACTED]

4 Telephone [REDACTED]

5 **THE STATE OF ARIZONA**

6 **PERSONNEL BOARD**

7 SCOTT M. MCNAIR
Complainant

8 V.

9 MARICOPA COUNTY, et al
10 Respondents

DOCKET NO. 02-56

**MOTION FOR EXTENSION OF TIME TO RESPOND TO
11
12
13
14
15
16
17
18
19
20
21
22
23
SECOND MOTION TO DISMISS**

12 Complainant (McNair) does hereby petition the Board for an extension of time for filing a
13 response to Respondent Maricopa County's (County) *Second Motion to Dismiss* in order to have
14 the tape of the Board ordered Evidentiary Hearing of February 10 2003 transcribed.

15 The Complainant received a copy of County's Second Motion to Dismiss via facsimile on
16 the evening of Friday, February 14 2003.

17 After receiving such, McNair contacted the Board to establish the date by which he would
18 need to file a response. He was directed by the Board to contact the Hearing Office (Mr. Merkow)
19 to obtain a response deadline.

20 He then called the Hearing Officer and left a voice message requesting an answer as to the
21 deadline.

22 The Hearing Officer responded Monday, February 17 2003 (a holiday), informing McNair
23 that he had until Monday February 24 2003 (4 business days) in which to file a response.

1 On February 18 2003, McNair received a copy of the County's *Second Motion to Dismiss*
2 by mail.

3 McNair has been unable to secure the services of a Certified Court Reporter that would be
4 able to transcribe the Hearing Tape prior to the February 24 2003 deadline set by the Hearing
5 Officer.

6 The need of McNair to have the transcript prepared and to be allowed sufficient time to
7 review and prepare an appropriate responsive pleading based on such, is crucial to his ability to
8 pursue due process and equitable justice before the Board.

9 Granting the extension, would allow all parties to receive a copy of the transcript for use in
10 further proceedings before the Board or other judicial bodies.

11 Therefore, in the interest of justice, McNair gracefully requests an extension of 10 business
12 days, until March 10 2003.

13
14

15 RESPECTFULLY SUBMITTED this 19 day of February 2003.

16 By _____

17 Scott M. McNair

18 Complainant (Pro Se)

19

20 ORIGINAL of the foregoing FILED this 19 day of February 2003 with:

21 State of Arizona Personnel Board

22 1400 West Washington Street, Suite 280

23 Phoenix, Arizona 85007

24

1 COPY of the foregoing sent via facsimile and mailed this __19__ day of February 2003 to

2 Hearing Officer:

3 Harold J. Merkow

4 1102 West Glendale Avenue, #116

5 Phoenix, Arizona 85021

6

7 COPY of the foregoing mailed this __19__ day of February 2003 to Respondent:

8 Maricopa County

9 Division of County Counsel

10 Mary C. Cronin

11 222 North Central Avenue, Suite 1100

12 Phoenix, Arizona 85004

13

14 COPIES of the foregoing mailed this _19__ day of February 2003 to Respondents:

15 Kenneth Medlin, Terry Peterson, Jennipher Ramsey

16 Maricopa County Department of Transportation

17 2901 West Durango

18 Phoenix, Arizona 85009

19

20

21

22 _____
Scott M. McNair

23

24