

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 17

DANE COUNTY

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PASTORI BALELE,

Petitioner,

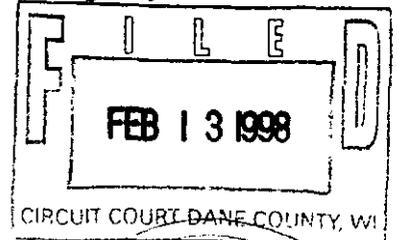
D36

v.

Case No. 97-CV-1927

Administrative Agency Review:
30607

WISCONSIN PERSONNEL COMMISSION,
DEPARTMENT OF HEALTH AND
FAMILY SERVICES, DEPARTMENT OF
JUSTICE, and DEPARTMENT OF
ADMINISTRATION,



Respondents.

ORDER

State of Wisconsin
County of Dane
This document is a full, true and
Correct copy of the original on file
and of record in my office and has
been compared by me.
Attest: *Janie 114 1998*
JUDITH A. COLEMAN
Clerk of Courts
By: *Don Anderson*
Deputy Clerk

The above-entitled proceeding having been commenced on July 17, 1997, to review a decision of the Wisconsin Personnel Commission under the Wisconsin Fair Employment Act (WFEA), secs. 111.31-111.395, Stats.; and

The petitioner having appeared pro se, the Personnel Commission having appeared by Jennifer Sloan Lattis, Assistant Attorney General, and the Department of Health and Family Services (DHFS), the Department of Justice (DOJ), and the Department of Administration (DOA) having appeared by David C. Rice, Assistant Attorney General; and

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The court having reviewed the record and the written arguments of the parties;
and

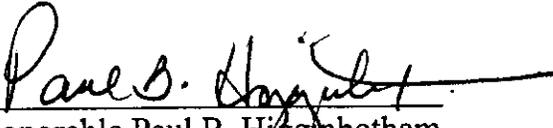
The court having rendered an oral decision on February 5, 1998; and

The court having concluded (1) that the Personnel Commission correctly decided that the Commission did not have jurisdiction under the WFEA over DOA, DOJ, or DHFS, and (2) that the actions challenged by the petitioner were not "disciplinary actions" protected by the Wisconsin Employee Protection Act (the "Whistleblower Act"), secs. 230-80-230.89, Stats.;

Now Therefore, IT IS ORDERED that the Personnel Commission's decision is affirmed and the petition for review is dismissed.

Dated at Madison, Wisconsin, this 13 day of February, 1998.

BY THE COURT:



Honorable Paul B. Higginbotham
Circuit Court Judge