

appeal from Postler v. DOT, 94-0016-PC, 94-0024-PC-EE, 10-16-95, reh'g den 11-27-95 **COPY** ~~Save~~ X

affirmed by Dane County Circuit Court, Postler v. WAC, DOT & DEK, 95 CV00317E, 10-9-96

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PERSONNEL COMMISSION



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Marilyn L. Graves
Clerk

January 27, 1998

To:

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You are hereby notified that the Court has entered the following order:

96-3350 Steven R. Postler v. Wisconsin Personnel Commission
(L.C. #95-CV-3178)

Before Dykman, P.J., Roggensack and Deininger, JJ.

Steven R. Postler appeals from an order of the Circuit Court for Dane County, affirming a decision of the Wisconsin Personnel Commission after a § 227.52, STATS., review. He claims the Department of Transportation used an invalid hiring process to fill a vacant position as a supervisor of the fuel tax unit. He also claims various procedural errors were committed by the administrative law judge who heard his complaint that a minority female applicant was hired rather than Postler, a white male, who claimed to be better qualified. The administrative law judge found that the hiring committee chose the

person with more supervisory experience for the supervisory position under consideration and that its decision was not motivated by discriminatory factors. This finding was affirmed by the Commission.

Based on our review at conference of the briefs and record, we conclude that this case is appropriate for summary disposition. See RULE 809.21, STATS. We further conclude that the trial court's memorandum decision and order identifies and applies the proper legal standards to the relevant facts and reaches the correct conclusion. We therefore incorporate into this order the trial court's decision, which we are attaching, and summarily affirm on that basis. See WIS. CT. APP. IOP VI(5)(a) (June 13, 1994).

Upon the foregoing reasons,

IT IS ORDERED that the order of the circuit court is summarily affirmed pursuant to RULE 809.21, STATS.

Marilyn L. Graves
Clerk of Court of Appeals