



STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

**NEW HAMPSHIRE TROOPERS ASSOCIATION/
TROOPER STEFAN CZYZOWSKI**

COMPLAINANT

CASE NO. G-0097-1

v.

DECISION NO. 2009-120

**NEW HAMPSHIRE DEPARTMENT OF SAFETY,
DIVISION OF STATE POLICE**

RESPONDENT

ORDER RE: COMPLAINANT'S TO MOTION TO CONTINUE

The complainant's representative filed a Motion to Continue Adjudicative Hearing on the ground that a necessary witness, Trooper Stefan Czyzowski, is on active duty and is scheduled to be deployed to the Middle East on June 20 or 21, 2009 thereby making him unavailable for the hearing currently scheduled for June 25, 2009. Pub 201.08, which governs the processing of motions to continue, provides in relevant part that "[t]he presiding officer shall grant the motion to continue if . . . [a] necessary witness cannot attend and an appropriate affidavit cannot be substituted for their presence by consent of the opposing party. . . ." Pub 201.08 (c) (1) (b). In this case, a necessary witness, Trooper Czyzowski, cannot attend the currently scheduled adjudicative hearing and an affidavit cannot be substituted for his presence.

Because the complainant has stated a compelling need for the requested continuance, a Motion to Continue is granted. An Adjudicative Hearing is hereby rescheduled to **August 25, 2009 at 9:30 a.m.** A rescheduling notice will be issued.

So ordered.

June 16, 2009



Karina A. Mozgovaya, Esq.
Staff Counsel/Hearing Officer

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