

ATTACHMENT D

DECISION

1 BOARD OF ADMINISTRATION
2 CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

3 In the Matter of the Appeal of) CASE NO. 2020-1258
4 Reinstatement from Industrial Disability) OAH NO. 2021020497
Retirement of:)
5 BRIAN A. DALHOVER,) **DECISION**
6 Respondent,)
7 and)
8 DEPARTMENT OF STATE HOSPITALS -)
9 METROPOLITAN,)
10 Respondent.)

11
12 RESOLVED, that the Board of Administration of the California Public
13 Employees' Retirement System, pursuant to Government Code section 11517
14 (c)(2)(C) which authorizes the Board to "make technical or other minor changes in
15 the proposed decision," hereby modifies the Proposed Decision, by striking the
16 words "and uncertain" from the definition of Government Code section 20026 on
17 page 16, paragraph 2 and page 21, paragraph 10 in the "Legal Conclusions" section
18 of the Proposed Decision, and hereby adopts as its own Decision the Proposed
19 Decision dated December 3, 2021, as modified, concerning the appeal of Brian A.
20 Dalhover; RESOLVED FURTHER that this Board Decision shall be effective 30
21 days following mailing of the Decision.

22 * * * * *

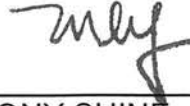
23 I hereby certify that on January 18, 2022, the Board of Administration,
24 California Public Employees' Retirement System, made and adopted the foregoing
25 Resolution, and I certify further that the attached copy of the Administrative Law

1 Judge's Proposed Decision is a true copy of the Decision adopted by said Board of
2 Administration in said matter.

3 BOARD OF ADMINISTRATION, CALIFORNIA PUBLIC
4 EMPLOYEES' RETIREMENT SYSTEM
5 MARCIE FROST
6 CHIEF EXECUTIVE OFFICER

7 Dated: 1/19/22

8 BY



9 ANTHONY SUINE
10 Deputy Executive Officer
11 Customer Services and Support
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PROOF OF SERVICE

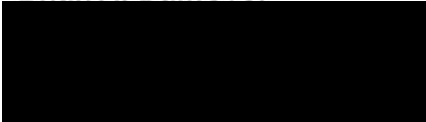
I am employed in the County of Sacramento, State of California. I am over the age of 18 and not a party to the within action; my business address is: California Public Employees' Retirement System, Lincoln Plaza North, 400 "Q" Street, Sacramento, CA 95811 (P.O. Box 942707, Sacramento, CA 94229-2707).

On **January 19, 2022**, I served the foregoing document described as:

DECISION - In the Matter of the Appeal of Reinstatement from Industrial Disability Retirement of BRIAN A. DALHOVER, Respondent, and CALIFORNIA DEPARTMENT OF STATE HOSPITALS - METROPOLITAN, Respondent. Case No. 2020-1258; OAH No. 2021020497.

on interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

Brian A. Dalhover



**Office of Administrative Hearings
Emerald Plaza
402 W. Broadway, Ste. 600
San Diego, CA 92101-8511
(Via OAH SECURE e-FILE)**

**Personnel Officer
Department of State Hospitals -
Metropolitan LA
11401 Bloomfield Avenue
Norwalk, CA 90650**

- [] **BY CERTIFIED AND FIRST CLASS MAIL** -- As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Sacramento, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing an affidavit.
- [] **BY ELECTRONIC TRANSMISSION:** I caused such document(s) to be sent to the addressee(es) at the electronic notification address(es) above. I did not receive within a reasonable time of transmission, any electronic message, or other indication that the transmission was unsuccessful.
- [] **BY ELECTRONIC FILING:** I caused such documents to be e-filed via OAH SECURE e-FILE.

Executed on **January 19, 2022**, at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Kady Pasley

NAME

K. Pasley

SIGNATURE