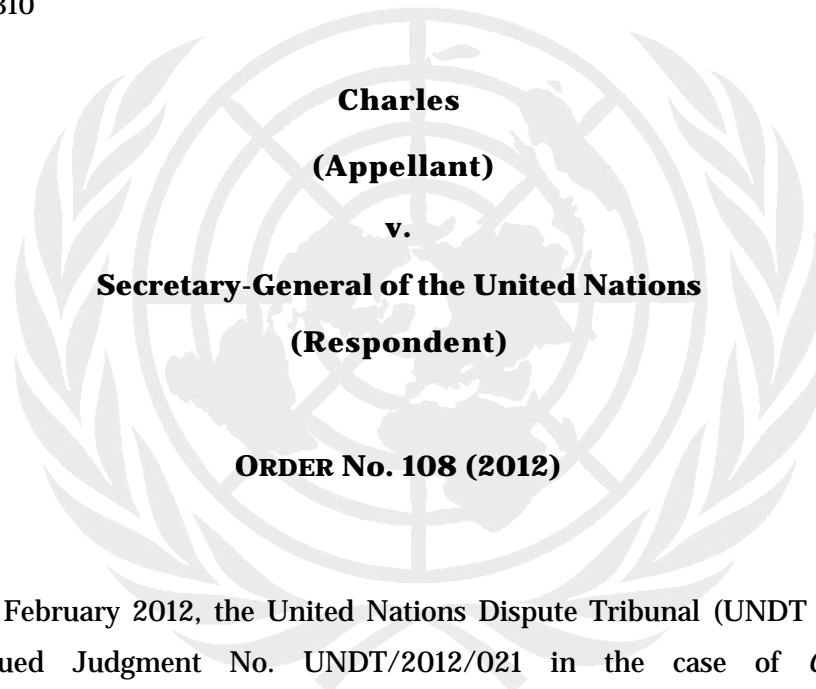




UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2012-310



**Charles
(Appellant)**

v.

**Secretary-General of the United Nations
(Respondent)**

ORDER No. 108 (2012)

1. On 10 February 2012, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) issued Judgment No. UNDT/2012/021 in the case of *Charles v. Secretary-General of the United Nations*. Mr. Lestrade A. Charles filed an appeal to the United Nations Appeals Tribunal (Appeals Tribunal) on 27 March 2012. The Secretary-General filed an answer on 4 June 2012.
2. On 11 September 2012, Mr. Charles filed a motion seeking leave to file additional pleadings (Motion). On 26 September 2012, the Secretary-General filed his observations on the Motion.
3. In support of his Motion, Mr. Charles contends that the Administration erred in having selected a candidate who did not satisfy the criteria of experience as required in the vacancy announcement. Mr. Charles notes that after one year, the selected candidate's contract has not been renewed, confirming that the Administration erred in the selection process. Mr. Charles submits that contrary to the Dispute Tribunal's considerations, he provided the personal history profiles of all other prescreened candidates, not on his own initiative but on the Dispute Tribunal's express request.
4. The Secretary-General requests that the Appeals Tribunal deny the Motion.

5. Articles 8 and 9 of the Rules of Procedure of the United Nations Appeals Tribunal (Rules) provide for an appellant to submit an appeal form, accompanied by a brief, and for a respondent to submit an answer form, accompanied by a brief.

6. Pursuant to Article 31(1) of the Rules and Section II.A.3 of Practice Direction No. 1 of the Appeals Tribunal, the Appeals Tribunal may allow a motion requesting leave to file additional pleadings after the filing of the answer to the appeal if there are exceptional circumstances justifying the motion.

7. Having considered Mr. Charles' submissions, I find that the matters Mr. Charles seeks to address in his comments are supplementary to the submissions made in his appeal and do not demonstrate any exceptional circumstances justifying the need to file additional pleadings.

8. Mr. Charles' Motion is denied and his additional pleadings will not be included as part of the case file.

Original and Authoritative Version: English

Dated 10th day of October 2012 in Buenos Aires,
Argentina.

(Signed)
Judge Inés Weinberg de Roca,
President

Entered in the Register on this 10th day of October
2012 in New York, United States.

(Signed)
Weicheng Lin, Registrar