



UNITED NATIONS APPEALS TRIBUNAL TRIBUNAL D'APPEL DES NATIONS UNIES

Cases No. 2013-479 and 2013-484

Simmons

(Applicant)

UDE No. 135 (2013)

v.

Secretary-General of the United Nations
(Respondent)

1. On 13 March 2013 and 26 March 2013, the United Nations Dispute Tribunal (UNDT or Dispute Tribunal) in New York issued Judgments Nos. UNDT/2013/050 and UNDT/2013/059, respectively, against the *Secretary-General of the United Nations*. Under Article 7(3) of the Appeals Tribunal (Statute), Ms. Simmons has 60 days to appeal Judgment No. UNDT/2013/050 and the 60-day limit to appeal Judgment No. UNDT/2013/059 lapses today.

2. On 13 May 2013 and 15 May 2013, Ms. Simmons requested two extensions to appeal the respective Judgments. In support of her request, she submits that she is self-represented and that medical issues, a recent accident as well as family and work commitments have made it difficult for her to meet the deadlines.

3. Under Article 7(3) of the Statute, “[t]he Appeals Tribunal may, upon written request by the applicant, to suspend or waive the 60-day period of time and only in exceptional cases”.

4. Having considered Ms. Simmons’ case, I do not believe that this is an exceptional case warranting a lengthy waiver or extension of time under the Statute. From the day the UNDT Judgments were rendered, Ms. Simmons was aware that she would have to attend to her personal and work

would therefore face time constraints preparing her appeals. She has nevertheless chosen to represent herself. Furthermore, while the supporting documents that Ms. Simmons has provided indicate absences from work, they do not sufficiently support her contention that she was unable to adhere to the Appeals Tribunal's statutory time limit due to medical reasons.

5. For the foregoing reasons, I reject Ms. Simmons' requests for thirty-day extensions. Given that the time limit to appeal Judgment No. UNDT/2013/050 lapsed and that the time limit to appeal Judgment No. UNDT/2013/059 lapses today, and as a way forward, I exceptionally grant Ms. Simmons five additional working days to file her appeals. Her appeals, if any, are now due on 3 June 2013.