

IN THE UTAH COURT OF APPEALS

-----ooOoo-----

Heidi Borjesson,)	MEMORANDUM DECISION
)	(Not For Official Publication)
Petitioner,)	
)	Case No. 20060315-CA
v.)	
)	F I L E D
University of Utah,)	(June 15, 2006)
)	
Respondent.)	2006 UT App 245

Original Proceeding in this Court

Attorneys: Heidi Borjesson, Salt Lake City, Petitioner Pro Se
Mark L. Shurtleff and Annina M. Mitchell, Salt Lake
City, for Respondent

Before Judges Billings, Davis, and Thorne.

PER CURIAM:

This matter is before the court on the University of Utah's motion for summary disposition. The University alleges that this court does not have jurisdiction to review Heidi Borjesson's claim on appeal.

Borjesson claims this court has jurisdiction under the Utah Administrative Procedures Act (UAPA) to review the University's decision to terminate her employment. See Utah Code Ann. §§ 63-46a-14, -16 (2004) (providing for judicial review of formal adjudicative proceedings); *id.* § 78-2a-3(2)(a) (2002) (creating jurisdiction in court of appeals over final orders and decrees from formal adjudicative proceedings of state agencies). However, UAPA expressly provides that it does not apply to an "internal personnel action within an agency concerning its own employees, or judicial review of the action." *Id.* § 63-46b-1(1)(e) (Supp. 2005). Borjesson fails to guide us to any other statute that would confer jurisdiction upon this court. Without statutory authority to review the University's termination of Borjesson we have no authority to review it. See Department of Env'tl. Quality v. Golden Gardens Water Co., 2001 UT App 173, ¶13, 27 P.3d 579; DeBry v. Salt Lake County Bd. of Appeals, 764 P.2d 627, 628 (Utah Ct. App. 1988). Therefore, we lack jurisdiction over the appeal. When this court lacks jurisdiction, it has no

choice but to dismiss the appeal.¹ See Loffredo v. Holt, 2001 UT 97, ¶11, 37 P.3d 1070.

Borjesson's petition is dismissed.

Judith M. Billings, Judge

James Z. Davis, Judge

William A. Thorne Jr., Judge

¹

Our determination that this court . . . has no jurisdiction in this case does not leave [Borjesson] without a remedy for arbitrary or unlawful local agency action where there is no statute specifically authorizing judicial review. Where there is no specific, statutorily prescribed method for judicial review of an agency action, review is available by "traditional means" of extraordinary writ.

Department of Env'tl. Quality v. Golden Gardens Water Co., 2001 UT App 173, ¶13 n.5, 27 P.3d 579.