

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Leann Walker-Williams,

Case Nos. 08-ABL-06-0248
08-LAY-06-0249

Appellant,

v.

Department of Rehabilitation and Correction,
North Central Correctional Institution,

Appellee.

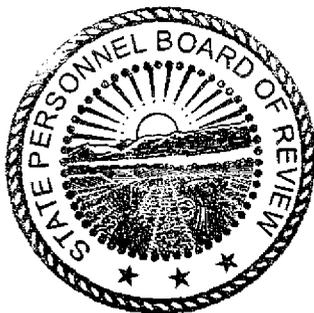
ORDER

This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeals.

After a thorough examination of the record and a review of the Report and Recommendation of the Administrative Law Judge, along with any objections to that report which have been timely and properly filed, the Board hereby adopts the Recommendation of the Administrative Law Judge.

Wherefore, it is hereby **ORDERED** that the instant appeals be **DISMISSED** due to Appellant's failure to appear, pursuant to O.A.C. § 124-11-19(A).

Lumpe - Aye
Sfalcin - Aye
Tillery - Aye



J. Richard Lumpe, *Chairman*

CERTIFICATION

The State of Ohio, State Personnel Board of Review, ss:

I, the undersigned clerk of the State Personnel Board of Review, hereby certify that this document and any attachment thereto constitute ~~the original~~ a true copy of the original order or resolution of the State Personnel Board of Review as entered upon the Board's Journal, a copy of which has been forwarded to the parties this date, July 23, 2009.

Clerk

NOTE: Please see the reverse side of this Order or the attachment to this Order for information regarding your appeal rights.



**STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW**

LeAnn Walker-Williams,

Case Nos.: 08-ABL-06-0248
08-LAY-06-0249

Appellant

v.

May 12, 2009

Ohio Department of Rehabilitation and Correction,
North Central Correctional Institution,

Appellee

Elaine K. Stevenson
Hearing Officer

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on May 12, 2009, upon review of the information contained in the record. On January 8, 2009, this Board issued a Procedural Order/Notice of Prehearing and Notice of Record Hearing, which contained the dates of the prehearing and the record hearing. The prehearing was scheduled for March 17, 2009 at 10:00 a.m. Both Appellee and Appellant were present at the prehearing. During the prehearing Administrative Law Judge Marcie M. Scholl advised the parties that the record hearing would begin on May 11, 2009 at 10:00 a.m., and continue through May 12 and 13, 2009, until the hearing was concluded. The Administrative Law Judge instructed the parties that they were required to be present at the first day of the hearing on May 11, 2009 at 10:00 a.m.

On May 11, 2009, Appellee appeared at the record hearing through its designee, Catherine M. Simerl, Personnel Manager, and was represented by Joseph N. Rosenthal, Assistant Attorney General. Also present was Amy C. Parmi, Human Resources Legal Counsel for Appellee. Appellant failed to appear and Appellee moved to dismiss Appellant's appeals.

O.A.C. 124-11-19(A) provides that if neither the Appellant nor Appellant's authorized representative appears at a hearing, the Board may dismiss the appeal. As noted above, the information contained in the record indicates that the notice of the prehearing and record hearing was properly mailed to the parties by regular U.S. mail on January 8, 2009 and that Appellant was present at the prehearing, at which time she was instructed to appear at the first day of the record hearing on May 11, 2009.

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Based on the foregoing, I find that no good cause has been shown for Appellant's failure to appear at the hearing and therefore I **RECOMMEND** that Appellee's motion to dismiss be **GRANTED** and Appellant's appeals be **DISMISSED**, pursuant to O.A.C. 124-11-19-(A).


Elaine K. Stevenson
Hearing Officer

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