

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

Martha Dinneen,

Appellant,

v.

Case No. 09-ABL-12-0495

Ohio School for the Deaf,

Appellee.

ORDER

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

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 appeal be **DISMISSED** based on Appellant's failure to appear at the prehearing and record hearing, pursuant to O.A.C. § 124-11-19(A).

Lumpe - Aye
Sfalcin - Aye
Tillery - Not Participating

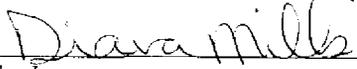


J. Richard Lumpe, *Chairman*

CERTIFICATION

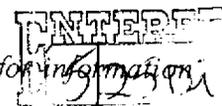
The State of Ohio, State Personnel Board of Review, ss:

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, May 25, 2010.



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**

Martha Dinneen,

Case No. 09-ABL-12-0495

Appellant

v.

April 13, 2010

Ohio School for the Deaf,

JAMES R. SPRAGUE

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

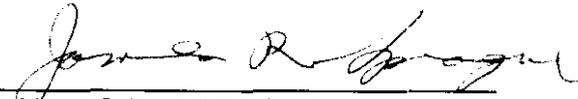
To the Honorable State Personnel Board of Review:

This matter came on for consideration on April 12, 2010. Appellee appeared for pre-hearing and was represented by Timothy M. Miller, Assistant Attorney General. Appellant did not appear and Appellee moved to dismiss this appeal.

I find that on November 25, 2009, Appellant filed a fax copy of her notice of appeal. On December 2, 2009, Appellant filed a hard copy of her notice of appeal. Also on December 2, 2009, this Board sent an acknowledgement of appeal to the parties. On December 3, 2009, this Board issued a Procedural Order regarding discovery, potential procedural defects, and potential jurisdictional bars in this matter. On December 4, 2009, this Board assigned April 12, 2010 as the date for a pre-hearing and a record hearing at 10:00 a.m. and 11:00 a.m. respectively.

On December 18, 2009, Appellee filed a notice of appearance and a notice of written request for witness and documents list. On March 23, 2010, Appellee filed Appellee's witness and documents list and two copies of its exhibits for hearing.

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **DISMISS** this matter based on Appellant's non-appearance, pursuant to R.C. 124.03.



JAMES R. SPRAGUE
Administrative Law Judge