

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

Kelly L. Nicholas,

Appellant,

v.

Case No. 09-REM-07-0339

Ohio State University,

Appellee

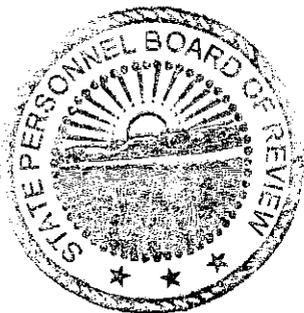
ORDER

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** due to Appellant's failure to appear, pursuant to O.A.C. § 124-11-19 (A).

Lumpe - Aye
Sfalcin - Aye
Tillery - Aye



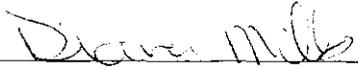


J. Richard Lumpe, *Chairman*

CERTIFICATION

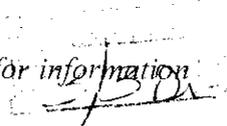
The State of Ohio, State Personnel Board of Review, ss:

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, March 3, 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**

Kelly L. Nicholas

Case No. 09-REM-07-0339

Appellant

v.

January 21, 2010

Ohio State University

Marcie M. Scholl

Appellee

Administrative Law Judge

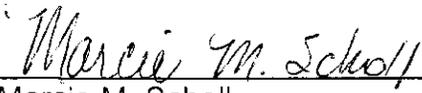
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on January 21, 2010. Appellee appeared and was represented by James A. Hogan and Rory P. Callahan, Assistant Attorneys General. Appellant failed to appear and Appellee moved to dismiss this appeal.

I find notice was properly served on Appellant on September 29, 2009, by regular mail, and no good cause has been shown for Appellant's failure to appear.

I **RECOMMEND** the Appellee's motion be **GRANTED** and the appeal be **DISMISSED**.



Marcie M. Scholl
Administrative Law Judge

:mms