

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

Dana Rich,

Appellant,

v.

Case No. 09-SAR-03-0180

Mahoning County,
Board of Mental Retardation and Developmental Disabilities,

Appellee.

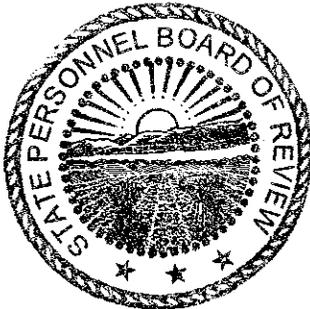
ORDER

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 the appeal being untimely filed, pursuant to O.R.C. § 124.03 and O.A.C. § 124-1-03(I).

Lumpe - Aye
Sfalcin - Aye
Tillery - Aye



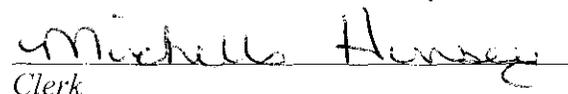


J. Richard Lumpe, *Chairman*

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 30, 2009.



Michelle Hunsger
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

DANA RICH,

Case No. 09-SAR-03-0180

Appellant

v.

June 4, 2009

MAHONING COUNTY BOARD OF MR/DD,

JAMES R. SPRAGUE

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration upon Appellant's March 30, 2009 filing of an appeal of an apparent suspension and reduction.

I find that the State Personnel Board of Review is without jurisdiction to hear this appeal because the appeal was not filed within thirty (30) calendar days after Appellant received notice on or about August 22, 2008 of this apparent discipline, as required by O.A.C. 124-1-03(I).

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **DISMISS** this appeal for untimely filing, pursuant to R.C. 124.03 and O.A.C. 124-1-03 (I).



JAMES R. SPRAGUE
Administrative Law Judge

JRS: