

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

Nancy J. Skipworth,

*Appellant,*

v.

Case No. 09-SUS-04-0188

Butler County Veterans Service Commission,

*Appellee.*

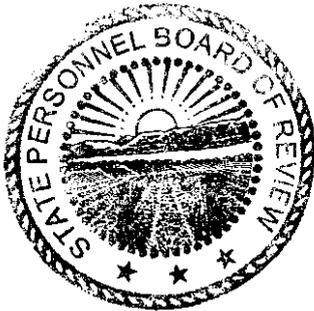
**ORDER**

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** since Appellant failed to file a memorandum *contra* to Appellee's Motion to Dismiss.

Lumpe - Aye  
Sfalcin - Aye  
Tillery - Aye

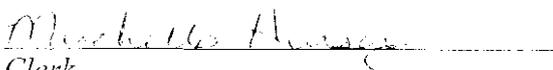


  
\_\_\_\_\_  
J. Richard Lumpe, *Chairman*

**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, December 16, 2009.

  
\_\_\_\_\_  
Michelle Husey  
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**

Nancy J. Skipworth,

Case No. 09-SUS-04-0188

*Appellant*

v.

October 27, 2009

Butler County Veterans Service Commission,

Jeannette E. Gunn

*Appellee*

*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

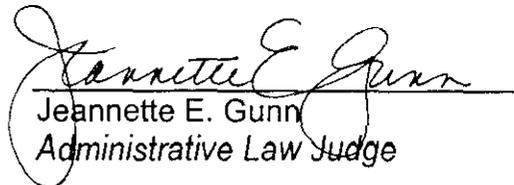
To the Honorable State Personnel Board of Review:

This cause came on for consideration pursuant to Appellee's Motion to Dismiss, filed with this Board on October 13, 2009. Appellee asserted in its motion that no justiciable controversy exists in the above-captioned matter. Appellant filed no memorandum *contra*.

Therefore, based upon the uncontroverted information contained in the record, I make the following findings of fact. On April 6, 2009, Appellant filed an appeal with this Board of her thirty-day suspension, effective April 13 to May 22, 2009. Appellant resigned her position with Appellee on April 6, 2009, and her resignation was accepted on the same day. Appellant's thirty-day suspension was rescinded by Appellee on September 30, 2009. Appellant received full and complete compensation and all benefits to which she was entitled for the period she was employed by Appellee, up to and including the effective date of her resignation on April 6, 2009.

Accordingly, because the discipline appealed by Appellant was not effectuated due to Appellant's intervening resignation and the discipline has subsequently been rescinded by Appellee, I find that no action exists over which this Board may assert jurisdiction.

Therefore, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED**.

  
Jeannette E. Gunn  
*Administrative Law Judge*