

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Maria Silvestri,

Appellant,

v.

Case No. 09-WHB-04-0191

Ohio State University,

Appellee.

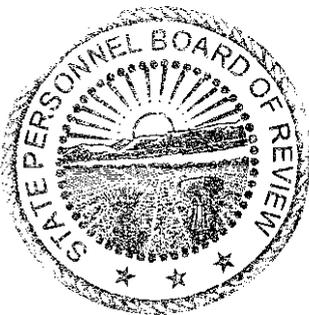
ORDER

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 comply with this Board's June 18, 2009 Procedural Order, pursuant to O.A.C. § 124-11-13(B).

Lumpe - Aye
Sfalcin - Aye
Tillery - Aye



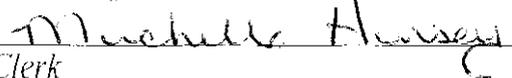


J. Richard Lumpe, *Chairman*

CERTIFICATION

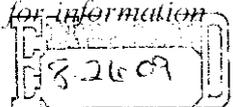
The State of Ohio, State Personnel Board of Review, ss:

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, August 26, 2009.



Michelle Hunsberger
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**

Maria Silvestri,

Case No. 09-WHB-04-0191

Appellant

v.

July 9, 2009

Ohio State University,

Christopher R. Young

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

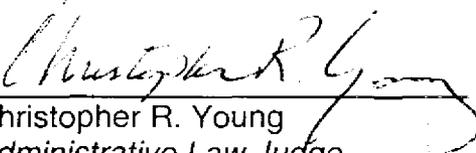
To the Honorable State Personnel Board of Review:

This matter came on for consideration on July 9, 2009. On June 18, 2009, this Board ordered the Appellant to respond to a Procedural Order and Questionnaire regarding various jurisdictional questions raised by the filing of the Appellant's whistleblower appeal. The Appellant was ordered to file her response to the questionnaire no later than 4:30 p.m., July 2, 2009. To date, the Appellant has filed no such response with this Board or with the Appellee, nor has the Appellant contacted this Board to request an extension of time in which to file her response.

This Board's administrative rule, O.A.C. 124-11-13(B) provides that:

If a party fails to comply with a procedural order, the board may dismiss the appeal or grant other appropriate relief to the opposing party.

Therefore, because the Appellant has failed to comply with this Board's June 18, 2009, Procedural Order, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED**, pursuant to O.A.C. 124-11-13(B).



Christopher R. Young
Administrative Law Judge

CRY: