

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

Jo L. Reiner,

Appellant,

v.

Case No. 10-ABL-10-0272

Department of Developmental Disabilities Central Office,

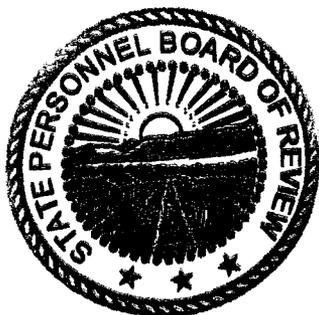
Appellee.

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** for failure to comply with the Procedural Order and complete and file the questionnaire, pursuant to O.A.C. § 124-9-05(C).



Lumpe - Aye

Tillery - Aye

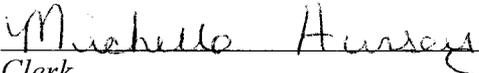


J. Richard Lumpe, *Chairman*

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 28, 2010.



Michelle Hursey
Clerk

NOTE: Please see the reverse side of this Order or the attachment to this Order for information regarding your appeal rights.

12-28-10

MMX

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

Jo L. Reiner,

Case No. 10-ABL-10-0272

Appellant

v.

November 23, 2010

Department of Developmental Disabilities,
Central Office,

Appellee

Christopher R. Young
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on November 23, 2010. On October 27, 2010, a Procedural Order and Questionnaire regarding the instant abolishment appeal was mailed to the Appellant with the direction that the questionnaire was to be completed and filed with the State Personnel Board of Review on or before November 10, 2010. That Procedural Order also stated in bold letters:

. . . If the questionnaire is not completed and returned by the due date, then this board may take whatever action is appropriate.

The Appellant has not filed its response with this Board to the above mentioned Procedural Order and Questionnaire.

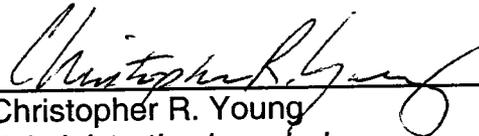
The Procedural Order and Questionnaire was mailed to the Appellant at her address located at 2030 Langham Rd., Columbus, Ohio 43221, by certified mail, return receipt requested; and the receipt return to the Personnel Board of Review reflects that the order and questionnaire was delivered to the Appellant, Jo L. Reiner, and was date stamped by the United States Postal Service as having been delivered on November 1, 2010, at that address.

Further, Ohio Administrative Code Section 124-9-05(C) states:

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. . . Questionnaires may be used as the sole basis for deciding any appeal. Failure to respond to the questionnaire may result in dismissal of the case.

The Appellant has not returned the completed questionnaire as of this date. Consequently, I **RECOMMEND** that this appeal be **DISMISSED** for failure to comply with the Procedural Order and complete and file the questionnaire. (See, *Edison V. Franklin County Children Services Board* (July 20, 1992), Franklin County, Case Number 91 CVF-07-5921, unreported, and *Adamasek v. Ohio Department of Administrative Services* (January 31, 1994), Franklin County, Case Number 93 CVF-08-6104, unreported).


Christopher R. Young
Administrative Law Judge

CRY: