

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

Charles E. Scriver,

*Appellant,*

v.

Case No. 2011-INV-03-0077

City of Clyde

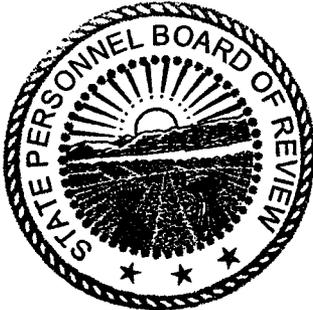
*Appellee.*

**ORDER**

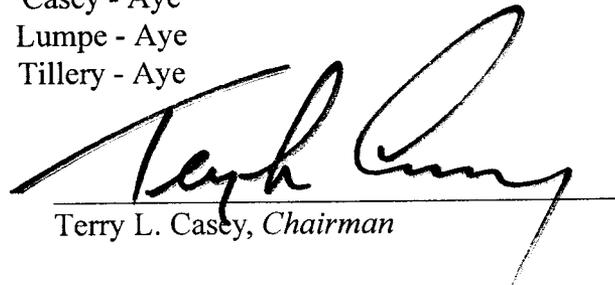
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

After a thorough examination of the entirety of the record, including 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 investigation is **TERMINATED** due to the Appellant's failure to respond pursuant to Ohio Administrative Code Section 124-7-05 (A).



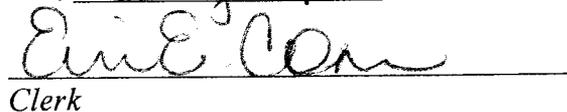
Casey - Aye  
Lumpe - Aye  
Tillery - Aye

  
Terry L. Casey, *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 constitutes (~~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 31, 2013.

  
Clerk

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

**ENTERED**  
7/31/13

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

Charles E. Scriver,

Case No. 11-INV-03-0077

*Appellant*

v.

June 1, 2011

City of Clyde,

Christopher R. Young

*Appellee*

*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This cause comes on for consideration on June 1, 2011, upon the Appellant's filing of an investigation request with this Board on March 10, 2011. After a thorough reading of the Appellant's investigation request, the undersigned Administrative Law Judge could not determine what violation of civil service law he was requesting to have this Board to investigate.

As a result, on April 4, 2011, the undersigned Administrative Law Judge sent the Appellant a letter which stated:

Dear Charles E. Scriver:

Your initial request for the State Personnel Board of Review to conduct an investigation fails to allege with particularity any violation of the civil service law to which the Appellee may be required to respond. The civil service law of the State of Ohio is generally found within Ohio Revised Code Chapter 124. Ohio Revised Code Section 124.40 sets forth the procedure for a civil service investigation.

Therefore, unless we receive from you allegations setting forth the particularity those requirements of the civil service law which you believe have been violated by Appellee, your case will be dismissed. These allegations must be postmarked no later than April 18, 2011.

Charles E Scriver  
Case No. 11-INV-03-0077  
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Very truly yours,

Christopher R. Young  
Administrative Law Judge

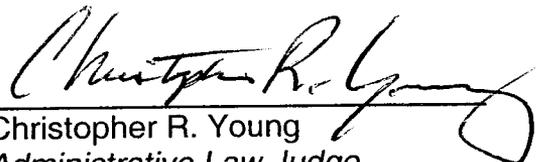
To date, the Appellant has not filed any response to the undersigned's request dated April 4, 2011, nor has he requested an extension of time to file such response.

Ohio Administrative Code Section 124-7-05 (A) states, in pertinent part:

Investigations shall be conducted by and exchange of correspondence between the board and the parties. Unless a party to show good cause for its failure to respond, decisions will be based on information received within the response time allowed. . .

\* \* \*

Therefore, having not shown good cause for his failure to file a response in this instant appeal, I respectfully **RECOMMEND** that the State Personnel Board of Review **TERMINATE** this investigation due to the Appellant's failure to respond to the undersigned's request.

  
Christopher R. Young  
Administrative Law Judge

CRY: