

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

JEFFREY A. JONES,

*Appellant,*

v.

Case Nos. 11-ABL-08-0271  
11-LAY-08-0272

DEPARTMENT OF HEALTH,

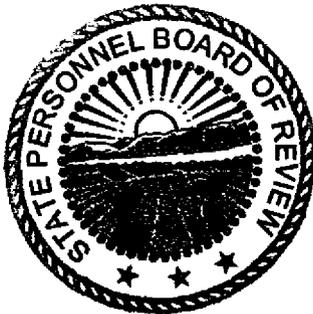
*Appellee,*

**ORDER**

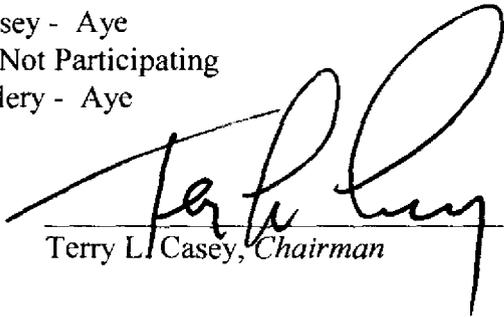
These matters came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeals.

After a thorough examination of the entirety of the records, 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 instant appeals are **DISMISSED** for Appellant's failure to respond as ordered by this Board to its October 12, 2011 Procedural Order and Questionnaire, in accordance with Ohio Administrative Code 124-9-05.



Casey - Aye  
Lumpe - Not Participating  
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, December 21, 2011.



  
Erin E. Conner  
Clerk

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

v.

November 4, 2011

Department of Health,

*Appellee*

Jeannette E. Gunn  
*Administrative Law Judge*

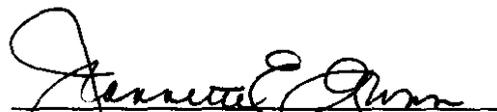
### REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on due to a review of the information contained in the record. On October 12, 2011, this Board issued a Procedural Order and Questionnaire, instructing Appellant to respond to the Questionnaire on or before October 28, 2011. A copy of the Procedural Order and Questionnaire was sent by certified mail to the parties, and Appellant signed for receipt of the item on October 15, 2011. To date, this Board has received no response from Appellant.

Pursuant to O.A.C. 124-9-05, this Board has the authority to order evidence taken in the form of questionnaires at any time prior to hearing. O.A.C. 124-9-05(C) provides that the failure to respond to a questionnaire may result in dismissal of a case, and Appellant was so apprised in the Board's October 12, 2011, Procedural Order.

Therefore, as Appellant has failed to respond as ordered by this Board to its October 12, 2011, Procedural Order and Questionnaire, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED**, in accordance with O.A.C. 124-9-05.

  
Jeannette E. Gunn  
*Administrative Law Judge*