

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

Kenneth W. Schmidt,

*Appellant.*

v.

Case No. 11-MIS-06-0195

Department of Taxation,

*Appellee.*

**ORDER**

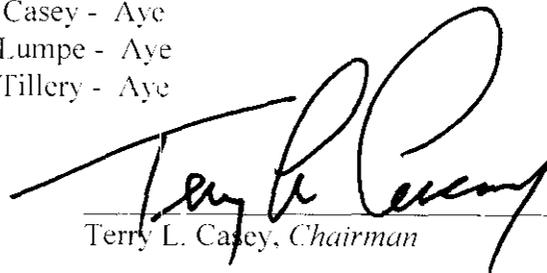
The above-referenced matter came on pursuant to a review of information contained in the record. Appellant filed an appeal with this Board on May 26, 2011, requesting that the Board review his "lack of displacement rights" pursuant to a pending layoff. At the time Appellant filed the instant appeal, he had already pending before this Board SPBR Case Nos. 11-ABL-05-0148 and 11-LAY-05-0149, which directly address the underlying abolishment of Appellant's position and pending layoff.

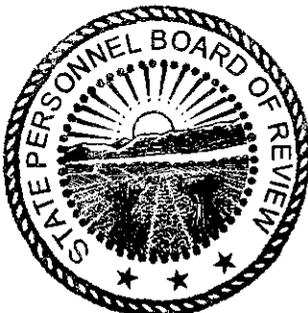
The question of whether or not Appellant's displacement rights were properly administered by Appellee as the result of the abolishment of his position and resulting layoff does not raise a separate basis for appeal to this Board. Appellant's displacement rights are properly addressed by counsel within the presentation of SPBR Case Nos. 11-ABL-05-0148 and 11-LAY-05-0149, which gave rise to the instant appeal is duplicative.

Therefore, in the interest of judicial efficiency and to maintain accurate administrative records, SPBR Case No. 11-MIS-06-0195 is hereby **VOIDED**. Appellant's appeal rights remain fully preserved and will be timely addressed through the resolution of SPBR Case Nos. 11-ABL-05-0148 and 11-LAY-05-0149.

It is so **ORDERED**.

Casey - Aye  
Lumpe - Aye  
Tillery - Aye

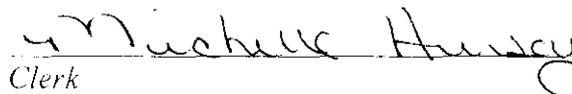
  
\_\_\_\_\_  
Terry L. Casey, *Chairman*



## 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 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, July 7, 2011.

  
Clerk

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