

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

William R. Bell,

Case Nos. 11-ABL-02-0056  
11-REM-02-0057

*Appellant,*

v.

Licking County Auditor,

*Appellee.*

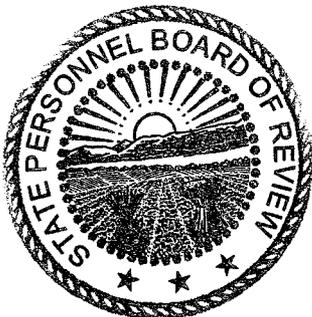
**ORDER**

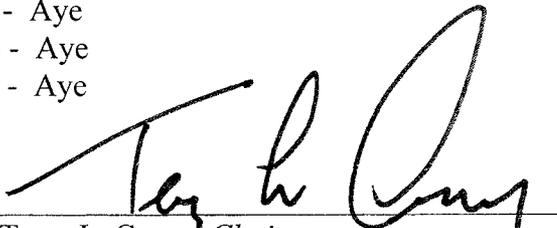
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 appeals be **DISMISSED** as untimely, pursuant to O.A.C. § 124-1-03(I).

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, April 29, 2011.

  
Clerk

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

4-29-11mm

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STATE PERSONNEL BOARD OF REVIEW**

William R. Bell,

*Appellant*

v.

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Case Nos. 11-ABL-02-0056  
11-REM-02-0057

March 2, 2011

Jeannette E. Gunn  
*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This matter came on for consideration on March 2, 2011, upon Appellant's filing of a notice of appeal with this Board. Appellant indicated that his position had been abolished, and also that he had been removed by Appellee. Appellant further indicated that he received notice of these actions on January 13, 2011, which were effective January 31, 2011.

I find that the State Personnel Board of Review is without jurisdiction to hear the above-referenced appeals because they were not filed in a timely manner. An appeal of a job abolishment must be filed with this Board or post-marked within ten (10) calendar days after Appellant received notice of the abolishment, as required by Ohio Administrative Code Section 124-1-03(A). An appeal of a removal, where no R.C. 124.34 Order of Removal has been furnished to the employee, must be filed within thirty (30) calendar days after Appellant received notice of the action. O.A.C. 124-1-03(I). Appellant filed his notice of appeal with this Board by fax on February 15, 2011, and by regular mail on February 17, 2011. Both of these dates are outside the time limits established by statute.

Therefore, I respectfully **RECOMMEND** that the above-referenced appeals be **DISMISSED** as untimely filed.

  
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Jeannette E. Gunn  
*Administrative Law Judge*