

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

DANIEL A. GRAHAM,

Appellant,

v.

Case No. 12-REM-08-0171

CUYAHOGA COUNTY SHERIFF,

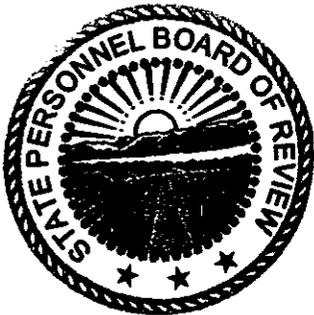
Appellee

ORDER

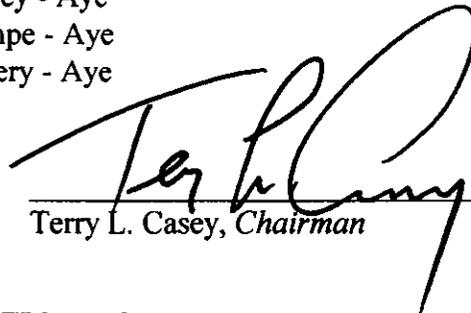
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 instant appeal is **DISMISSED** for lack of jurisdiction over its subject matter, pursuant to the Charter of Cuyahoga County, Ohio.



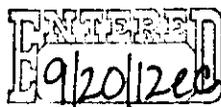
Casey - Aye
Lumpe - Aye
Tillery - Aye

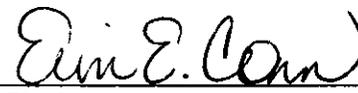

Terry L. Casey, *Chairman*

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, September 20, 2012.




Erin E. Conn
Clerk

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

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

DANIEL A. GRAHAM,

Case No. 12-REM-08-0171

Appellant

v.

August 9, 2012

CUYAHOGA COUNTY SHERIFF,

JAMES R. SPRAGUE

Appellee

Administrative Law Judge

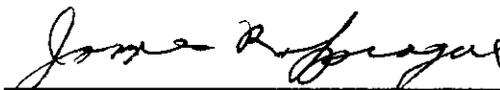
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter comes on due to Appellant's August 3, 2012 filing of an appeal. Appellant was employed as a Special Deputy by Appellee and has appealed Appellee's termination of his commission on July 7, 2012.

Pursuant to the County Charter adopted by the Electors of Cuyahoga County, effective January 1, 2011, the Cuyahoga County Human Resource Commission assumed all appellate authority that R.C. Chapter 124. grants concerning hearing pertinent appeals from employees of the Cuyahoga County Executive. This, of course, includes hearing appeals from employees of the Cuyahoga County Sheriff. Accordingly, this Board lacks jurisdiction to consider the termination of Appellant's commission and this matter should, thus, be dismissed.

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **DISMISS** the instant appeal for lack of jurisdiction over its subject matter, pursuant to the Charter of Cuyahoga County, Ohio.



JAMES R. SPRAGUE

Administrative Law Judge

JRS: