

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

Patricia Clementz,

Appellant,

v.

Case Nos. 2013-IDS-08-0230
2013-REM-08-0231

Putnam County Board of Commissioners,

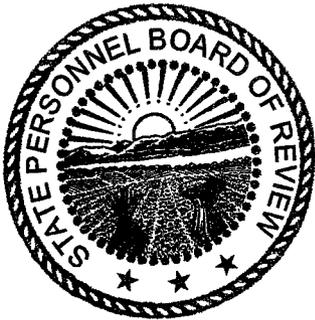
Appellee,

ORDER

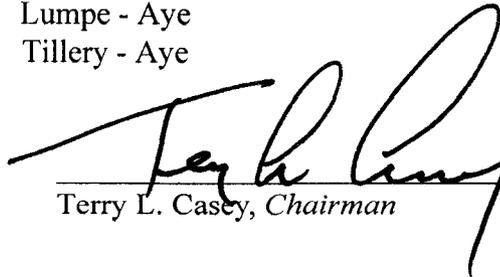
These matters came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeals.

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**, due to Appellee's rescission of the R.C. 124.34 Order of Involuntary Disability Separation effective August 28, 2013, which rendered the appeals moot.



Casey - Aye
Lumpe - Aye
Tillery - Aye

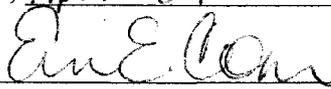


Terry L. Casey, *Chairman*

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, April 07, 2014.



Clerk

4-8-14

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**

Patricia Clementz,

Appellant

v.

Putnam County Board of Commissioners,

Appellee

Case Nos. 2013-IDS-08-0230
2013-REM-08-0231

February 28, 2014

Jeannette E. Gunn
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on pursuant to Appellee's Motion to Dismiss, filed with this Board on October 16, 2013, and Supplemental Information filed by Appellee in response to this Board's Procedural Order, filed on February 6, 2014. Appellant filed additional information with the Board on February 12, 2014.

Appellee asserts that this Board is without jurisdiction to consider the above-referenced appeals because the R.C. 124.34 Order of Involuntary Disability Separation effective August 28, 2013, from which the instant appeals arose, was rescinded. A second Order was provided to Appellant with an effective date of October 2013; that involuntary disability separation is the subject of SPBR Case No. 2013-IDS-10-0270, currently pending before Administrative Law Judge Marcie Scholl. Appellant does not dispute Appellee's assertion that the August 28, 2013, Order was rescinded.

Therefore, I find that Appellee's rescission of the R.C. 124.34 Order of Involuntary Disability Separation effective August 28, 2013, rendered the above-referenced appeals moot, and I respectfully **RECOMMEND** that the instant appeals be **DISMISSED**.


Jeannette E. Gunn
Administrative Law Judge