

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Cheryl Lee,

Appellant,

v.

Case No. 2013-REM-08-0215

Cuyahoga County Metropolitan Housing Authority,

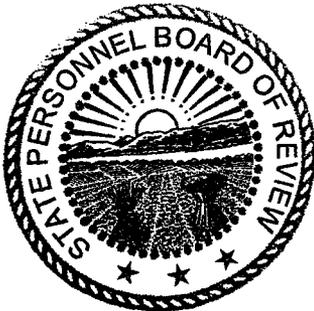
Appellee.

ORDER

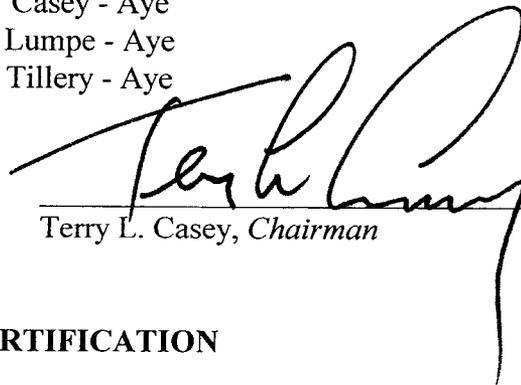
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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. *It is noted that Appellee has filed a motion to dismiss on related cases involving the instant parties. Those cases are currently pending before the Administrative Law Judge (ALJ) assigned to those cases. Since Appellee's motion to dismiss would be more properly considered by the aforementioned ALJ, that motion is assigned to the aforementioned ALJ for his studied consideration.*

Wherefore, it is hereby **ORDERED** that the appeal is **DISMISSED** for lack of jurisdiction.



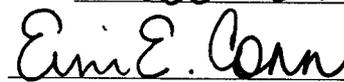
Casey - Aye
Lumpe - Aye
Tillery - Aye

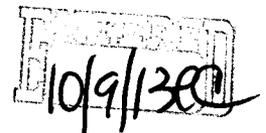

Terry L. Casey, *Chairman*

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, October 09, 2013.


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**

Cheryl Lee,

Case No. 2013-REM-08-0215

Appellant

v.

September 18, 2013

Cuyahoga County Metropolitan Housing Authority

Appellee

Marcie M. Scholl
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on September 18, 2013.

The State Personnel Board of Review does not have jurisdiction to hear direct appeals from employees of metropolitan housing authorities created pursuant to Revised Code Section 3735.27, *et seq.* The employees of a metropolitan housing authority organized pursuant to the provisions of Revised Code Section 3735.27, *et seq.*, are not within the provisions of the law relating to civil service, as defined in Revised Code Section 124.01, *et seq.* (1952 OAG No. 1122).

It is suggested that the Appellant contact the Cuyahoga County Court of Common Pleas to determine if that Court has jurisdiction over Appellant's removal.

Therefore, I respectfully **RECOMMEND** that this appeal be **DISMISSED**.



Marcie M. Scholl
Administrative Law Judge

:mms