

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

Roger Vance,

Appellant,

v.

Case No. 2013-WHB-10-0255

Department of Developmental Disabilities,
Gallipolis Developmental Center,

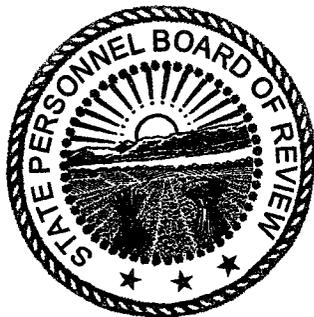
Appellee,

ORDER

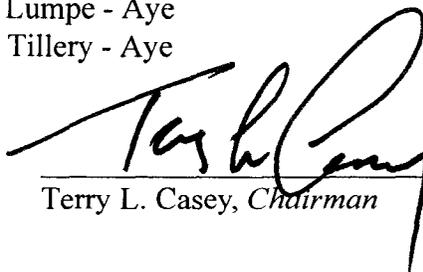
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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**, in accordance with O.A.C. 124-9-05, for Appellant's failure to respond as ordered by this Board to its February 3, 2014 Procedural Order and Questionnaire.



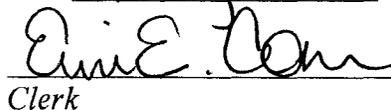
Casey - Aye
Lumpe - Aye
Tillery - Aye


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, May 16, 2014.


Annie E. Don
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**

Roger Vance,

Case No. 2013-WHB-10-0255

Appellant

v.

March 31, 2014

Department of Developmental Disabilities,
Gallipolis Developmental Center,

Appellee

Jeannette E. Gunn
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on due to a review of the information contained in the record. On February 3, 2014, this Board issued a Procedural Order and Questionnaire, instructing Appellant to respond to the Questionnaire on or before February 14, 2014. A copy of the Procedural Order and Questionnaire was sent by certified mail to the parties. To date, this Board has received no response from Appellant. Appellee filed a Motion to Dismiss with this Board on February 26, 2014; Appellant filed no memorandum *contra*.

Pursuant to O.A.C. 124-9-05, this Board has the authority to order evidence taken in the form of questionnaires at any time prior to hearing. O.A.C. 124-9-05(C) provides that the failure to respond to a questionnaire may result in dismissal of a case, and Appellant was so apprised in the Board's February 3, 2014, Procedural Order.

Therefore, as Appellant has failed to respond as ordered by this Board to its February 3, 2014, Procedural Order and Questionnaire, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED**, in accordance with O.A.C. 124-9-05.


Jeannette E. Gunn
Administrative Law Judge