

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

Francinner Morgan,

*Appellant,*

v.

Case No. 2014-IDS-04-0087

Department of Rehabilitation & Correction,  
Ohio State Penitentiary,

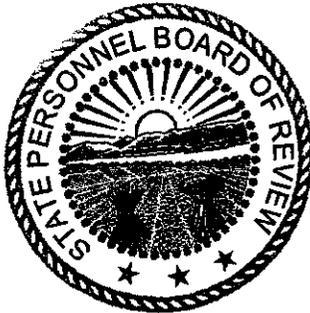
*Appellee,*

**ORDER**

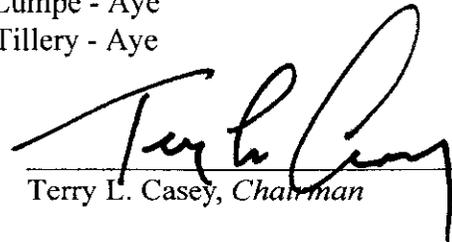
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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** as the matter is moot and there is no justiciable issue before this Board.



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, July 30, 2014.

  
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**

Francinner Morgan

Case No. 2014-IDS-04-0087

*Appellant*

v.

June 19, 2014

Ohio State Penitentiary  
Department of Rehabilitation & Correction

Marcie M. Scholl  
*Administrative Law Judge*

*Appellee*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This cause comes on for consideration upon Appellant's appeal, filed on April 21, 2014; this Board's Procedural Order and Questionnaire, dated May 23, 2014; and Appellee's Response to the Procedural Order, filed June 13, 2014.

In Appellee's Response to question number 1 of this Board's Questionnaire, Appellee states as follows:

The Appellant was never taken off the payroll. The order of involuntary disability separation was effective on 04/29/14; however, that order was rescinded effective 04//29/14. As a result, Appellant was never taken off the payroll. (Copies of both the Order and the Rescission were attached to the Response).

Since Appellant's involuntary disability separation never took place, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED** as the matter is moot and there is no justiciable issue before this Board.



\_\_\_\_\_  
Marcie M. Scholl  
*Administrative Law Judge*