

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

Massillon FOP Henderson Lodge #105,

Appellant,

v.

Case No. 2014-INV-05-0106

Massillon Civil Service Commission,

Appellee,

ORDER

This matter came on for consideration upon Appellant's filing of a request for an investigation in the above-captioned case. R.C. 124.40 does not specify who has standing to file a request for an investigation with this Board. Accordingly, on June 19, 2014, this Board instructed the parties to this matter to file with this Board and with the opposing party on or before July 21, 2014 each party's jurisdictional brief further addressing that issue.

On July 21, 2014, Appellee timely filed its jurisdictional brief with this Board. Even though this Board has allowed for additional time for Appellant to file its jurisdictional brief, Appellant has, to date, failed to do so. O.A.C. 124-11-13 (B) permits this Board to dismiss a case when one of the parties to a matter fails to comply with the mandates of this Board's Procedural Order. Here, Appellant has so failed to comply. Therefore, this matter should be dismissed.

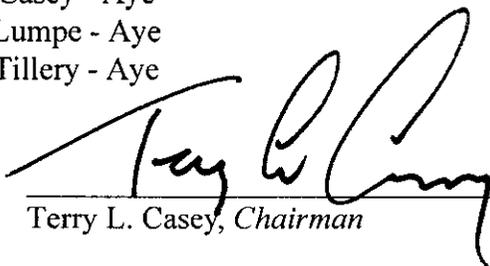
Wherefore, it is hereby **ORDERED** that the instant request for an investigation be **DISMISSED** for Appellant's failure to comply with the mandates set forth in this Board's June 19, 2014 issued Procedural Order, pursuant to R.C. 124.40 and O.A.C. 124-11-13 (B).



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 31, 2014.



Clerk

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