

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

Vadim Tarshis,

*Appellant,*

v.

Case No. 2014-REM-04-0092

Franklin County Auditor,

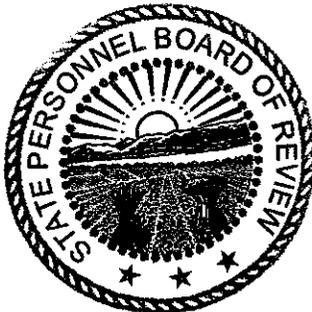
*Appellee,*

**ORDER**

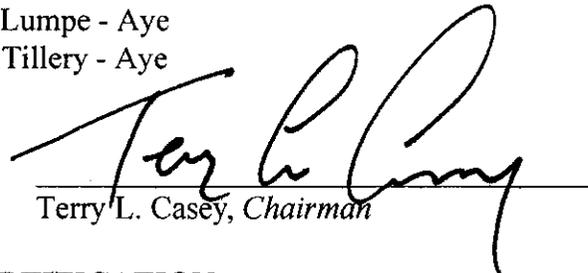
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge (ALJ) in the above-captioned appeal.

After a thorough examination of the entirety of the record, including a review of the Report and Recommendation of the ALJ, along with any objections to that report which have been timely and properly filed, the Board hereby adopts the findings of the ALJ. However, the Recommendation indicated that *Appellant* failed to comply with this Board's Procedural Order. The Recommendation should have indicated that *Appellee* failed to so comply. Thus, this Board hereby MODIFIES the Recommendation to reflect that fact and, accordingly, hereby DISAFFIRMS Appellant's removal solely as reflected in the instant record.

Wherefore, it is hereby **ORDERED** that Appellant's instant removal be **DISAFFIRMED** for Appellee's failure to comply with this Board's Procedural Order, pursuant to R.C. 124.03, R.C. 124.34, 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, October 09, 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**

Vadim Tarshis

Case No. 2014-REM-04-0092

*Appellant*

v.

July 1, 2014

Franklin County Auditor,

Jeannette E. Gunn

*Appellee*

*Administrative Law Judge*

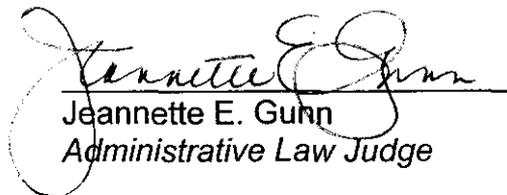
**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This cause comes on due to a review of the information contained in the record. On June 4, 2014, this Board issued a Procedural Order, instructing Appellee to provide this Board with evidence establishing the date on which Appellant was served with the R.C. 124.34 Order of Removal, on or before June 20, 2014. To date, this Board has received no response from Appellant.

Pursuant to O.A.C. 124-11-13, if a party fails to comply with a Procedural Order, the Board may dismiss the appeal or grant other appropriate relief to the opposing party. Appellee was apprised in the Board's June 4, 2014, Procedural Order that failure to demonstrate that Appellant was timely served with a copy of the order of removal would result in disaffirmance of the removal.

Therefore, as Appellant has failed to respond as ordered by this Board to its June 4, 2014, Procedural Order, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED**, in accordance with O.A.C. 124-11-13

  
Jeannette E. Gunn  
*Administrative Law Judge*