

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

Stephanie Emrick,

Appellant,

v.

Case No. 2014-REM-06-0105

Fayette County Commission on Aging,

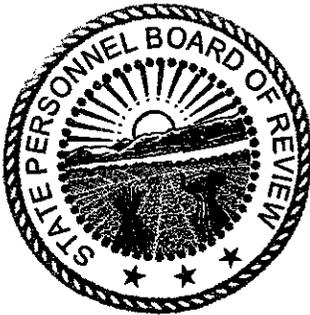
Appellee,

ORDER

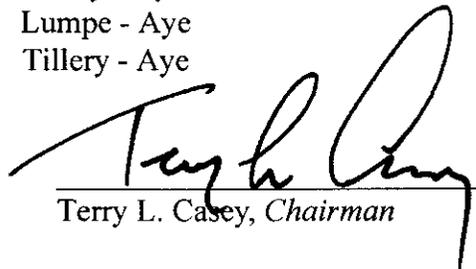
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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** for lack of jurisdiction over its subject matter, pursuant to R.C. 124.03 and R.C. 1702.01 *et seq.*



Casey - Aye
Lumpe - Aye
Tillery - Aye

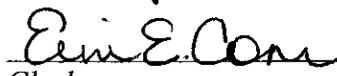


Terry L. Casey, *Chairman*

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, August 21, 2014.



Erin E. O'Connell
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**

Stephanie Emrick

Case No. 2014-REM-06-0105

Appellant

v.

July 11, 2014

Fayette County Commission on Aging

James R. Sprague

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration upon Appellant's filing of an appeal with this Board. The unrebutted evidence contained in the instant record establishes that Appellant is not a civil servant coming under the jurisdiction of this Board; since Appellant was employed by a private non-profit organization that is incorporated pursuant to R.C. 1702.01 *et seq.*

Further, on June 27, 2014 Appellee filed Appellee's Motion to Dismiss Appellant's Appeal, the Affidavit of Cheryl Stockwell, Director of the Fayette County Commission on Aging Inc., and other supporting documents. Appellant was provided with the requisite time to file a memorandum *contra* but, to date, has not done so. Thus, Appellant has failed to comply with the requirements to respond to a properly filed motion to dismiss, as set forth in O.A.C. 124-11-07 (A) (2) and (C).

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **DISMISS** the instant appeal for lack of jurisdiction over its subject matter, pursuant to R.C. 124.03 and R.C. 1702.01 *et seq.*


James R. Sprague
Administrative Law Judge