

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

Terrance Griffin,

*Appellant,*

v.

Case No. 2015-REM-01-0011

Department of Rehabilitation & Correction,

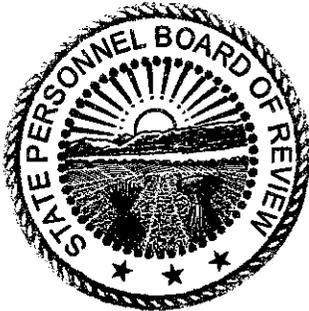
*Appellee,*

**ORDER**

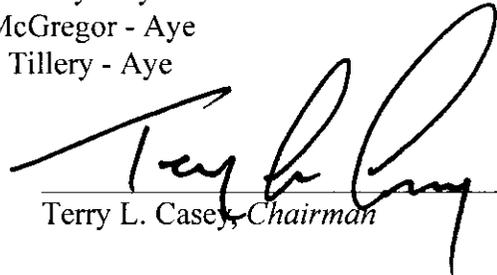
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 Appellee's removal of Appellant Griffin is **AFFIRMED** pursuant to section 124.34 of the Ohio Revised Code.



Casey - Aye  
McGregor - 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, June 24, 2016.

  
Eric Com  
*Clerk*

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

## NOTICE

Where applicable, this Order may be appealed under the provisions of Chapters 124 and 119 of Ohio Revised Code. An original written Notice of Appeal or a copy of your Notice of Appeal setting forth the Order appealed from and the grounds of appeal must be filed with this Board fifteen (15) days after the mailing of this Notice.

Additionally, an original written Notice of Appeal or a copy of your Notice of Appeal must be filed with the appropriate court within fifteen (15) days after the mailing of this Notice. At the time of filing the Notice of Appeal or copy of your Notice of Appeal with this Board, the party appealing must provide a security deposit to the Board. In accordance with administrative rule 124-15-08 of the Ohio Administrative Code, the amount of deposit is based on the length of the digital recording of your hearing and the costs incurred by the Board in certifying your case to court. The length of the digital recording, the costs incurred, the corresponding amount of deposit required, and the final date that the Notice of Appeal or copy of your Notice of Appeal and the Deposit will be accepted by this Board are listed at the bottom of this Notice. If a full or partial transcript of the digital recording has been prepared prior to the filing of an appeal, the costs of a copy of that certified transcript will be accepted by this Board; transcript costs will be listed at the bottom of this Notice.

**IF YOU ELECT TO APPEAL THIS BOARD'S FINAL ORDER, THEN YOU MUST PROVIDE THE DEPOSIT LISTED BELOW AT THE TIME YOU FILE YOUR NOTICE OF APPEAL OR COPY OF YOUR NOTICE OF APPEAL WITH THIS BOARD.** Please note that the law provides that you have fifteen (15) calendar days from the mailing of the final Board Order to file your Notice of Appeal or copy of your Notice of Appeal both with this Board and with the Court of Common Pleas. The fifteenth day is the date that appears at the bottom of this Notice.

**METHOD OF PAYMENT:** for all entities other than State agencies, payment of the deposit must be by money order, certified check, or cashier's check. State agencies are required to use the Intra-State Transfer Voucher (ISTV) system (OBM Form 7205), which must be processed prior to the filing of an appeal. To initiate an ISTV, State agencies may call the State Personnel Board of Review Fiscal Office at 614/466-7046.

**IF YOU MAINTAIN YOU CANNOT AFFORD TO PAY THE DEPOSIT LISTED BELOW, THEN YOU MUST COMPLETE THE BOARD'S "AFFIDAVIT OF INDIGENCE" FORM. YOU CAN OBTAIN THAT FORM BY CALLING 614/466-7046. THE COMPLETED AFFIDAVIT MUST BE RECEIVED BY THIS BOARD ON OR BEFORE July 1, 2016.** You will be notified in writing of the Board's determination. If the Board determines you are indigent, you will be relieved of the responsibility to pay the deposit to the Board. However, if the Board determines you are NOT indigent, then YOU MUST FILE YOUR NOTICE OF APPEAL OR A COPY OF YOUR NOTICE OF APPEAL AND PAY THE DEPOSIT BY THE DATE LISTED BELOW.

**If you have any questions regarding this notice, please contact the Board at 614/466-7046.**

Case Number: 2015-REM-01-0011

Transcript Costs: \$366.00 Administrative Costs: \$25.00

Total Deposit Required: \* \$391.00

Notice of Appeal and Deposit Must  
Be Received by SPBR on or Before: July 11, 2016

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

Terrance Griffin

Case No. 2015-REM-01-0011

*Appellant*

v.

May 10, 2016

Dayton Correctional Institution  
Department of Rehabilitation & Correction

*Appellee*

Marcie M. Scholl  
*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

Present at the record hearing held in this matter were the Appellant, Terrance Griffin, represented by Jason P. Matthews, Attorney at Law and Appellee Dayton Correctional Institution designee Paul Shoemaker, Deputy Chief Inspector, represented by Tracy M. Nave and Matthew J. Karam, Assistant Attorneys General.

The subject matter jurisdiction of the Board was established pursuant to sections 124.03 and 124.34 of the Ohio Revised Code.

Appellant Griffin was removed from his position of Correctional Warden Assistant 1 – Investigator, effective January 16, 2015. The pertinent part of the removal order states as follows:

You have violated the following Standards of Employee Conduct Rules: #7 Failure to follow post orders, administrative regulations, policies, or written or verbal directives; #38 Any act, or failure to act, or commission not otherwise set forth herein, which constitutes a threat to the security of the facility, staff, any individual under the supervision of department, or a member of the general public; #45B without express authorization, giving preferential treatment to any individual under the supervision of the department, or any individual within 6 months following their release from custody or supervision of the Department, but not limited to: B. The offering, receiving or giving of anything of value; and #50 Any violation of OCR (sic) 124.34 ... and for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violations of such sections or the rules of the Director of Administrator (sic) Services or the commission, or any failure of good

behavior, or any other acts of misfeasance, malfeasance, or nonfeasance in office.

You disabled the record function on the Inmate Telephone Monitoring System (ITMS) to your private "snitch line" and you were engaged in unauthorized phone conversations (not being recorded) with inmates under the current supervision of the Department. You did not follow the directives given by Warden Lisath and did admit to giving commissary items and electronics to inmates for information. Without authorization this is considered preferential treatment. Your actions constitute a threat to the security of the institution, compromise your ability to perform your duties as an investigator and demonstrate a failure of good behavior.

Appellant Griffin filed a timely appeal of his removal.

#### **STATEMENT OF THE CASE**

Appellant Griffin testified he had been employed by Appellee as an Institution Investigator. As such he was responsible for directing and supervising all institution investigations and he was aware it was improper to have any type of relationship with inmates or to show preferential treatment to an inmate.

Appellant Griffin identified Appellee's Exhibit 7 as the Standards of Employee Conduct and Appellee's Exhibit 8 as a document evidencing he received those Standards.

Appellant Griffin explained commissary items were ones which inmates could purchase and consisted of pre-packaged items or hygiene items. In the past, he stated these items were used as an incentive to obtain information from inmates and to stop contraband from coming into the institution. Warden Lisath was Appellant Griffin's immediate supervisor and the Warden told Appellant Griffin to stop using commissary items to obtain information from inmates. The Warden also moved Appellant Griffin's office to the second floor from the first floor.

The telephone system in the institution included a "snitch line" which was under Appellant Griffin's purview. This line rang directly into his office and any inmate could call this line by using a PIN number. Appellant Griffin could talk anonymously to an inmate over this line, thereby protecting the inmate from being labeled a "snitch" or from being seen talking to Appellant Griffin. All conversations which took place on the "snitch line" were recorded as were all other calls in the institution.

Appellee's Exhibit 6E was identified by Appellant Griffin as the Security Policy of the Institution, which was effective June 15, 2001. The policy states that as an Investigator, Appellant Griffin was required to use the telephone monitoring system and that he could not disable the system. Appellant Griffin testified he did not have the capability of disabling the system, as the only person who could do that was the Chief Inspector. He stated there was one computer and two laptops that had the capability of running reports on the telephone system and that it was also possible to listen to inmate calls, record them and look at all calls coming into the "snitch line". He identified Appellee's Exhibit 6J as an example of one of the reports on the telephone system. Appellant Griffin stated this particular report was run on August 7, 2014 and the telephone number listed is linked to the "snitch line". The report shows that ten (10) unique PINS were used to call the "snitch line" and the period of time covered by this report ran from January 1, 2014 to August 7, 2014.

Appellant Griffin explained that if a call was recorded, the report would show an icon of a CD. The report identified as Appellee's Exhibit 6J showed a total of six (6) calls to the "snitch line" that were not recorded. The report also indicated there were in excess of 450 calls to the "snitch line" from inmate Pryor and showed that during the time period of the report, inmate Pryor had two PINS assigned to him.

Appellee's next witness was Angela Morgan, Administrative Professional for the Deputy Warden of Special Services for approximately fourteen to fifteen years. As such, Ms. Morgan answers phones, takes minutes at meetings and performs other administrative duties. Ms. Morgan testified she knows Appellant Griffin as a former investigator and worked with him for approximately ten years.

Ms. Morgan stated Appellant Griffin's office had been moved from the first floor to the second floor. After his office had been moved, Ms. Morgan testified Appellant Griffin asked her to give an inmate a bag he had put in the elevator which was around the corner from her office. It was a little brown bag and she stated she could only remember ramen noodles as the item in the bag. Ms. Morgan testified there was no specific inmate that Appellant Griffin asked her to give the bag to and this was the only time he made such a request of her. She explained that the medical and mental health offices were located on the second floor near Appellant Griffin's office, so inmates were on that floor also. After Appellant Griffin was removed from his position, Ms. Morgan stated several inmates asked her what happened to him.

On cross examination Ms. Morgan testified she never heard Warden Lisath tell Appellant Griffin to stop giving commissary items to the inmates. She also stated she could not remember the date that Appellant Griffin asked her to give the

brown bag to an inmate. Ms. Morgan testified she never gave any commissary items to inmates.

Warden Jeff Lisath stated he has been the Warden at Pickaway Correctional Institution for approximately seven months and prior to that, he was Warden at Dayton Correctional Institution for approximately two years.

Warden Lisath testified he was Appellant Griffin's direct supervisor. He stated Appellant Griffin was to ensure that all allegations of criminal activity or violations were thoroughly investigated and findings were reported. He testified that originally Appellant Griffin's office was located on the first floor, across from the infirmary in the administration building. Warden Lisath stated it was his belief that due to the confidentiality concerns, Appellant Griffin's office needed to be on the second floor, so he moved his office to the Warden's wing located on the second floor. Warden Lisath explained inmates filed "kites" which reported inappropriate activity going on in Appellant Griffin's area, so by moving his office, Warden Lisath felt he could keep an eye on him. He stated he received the kites and they alleged that Appellant Griffin was giving commissary items to inmates in exchange for information. Warden Lisath testified he does not believe in that practice and will not tolerate it, as he views this practice as dealing or bartering with offenders, which can cause a lot of problems.

Warden Lisath explained commissary items are those things such as Little Debbie Cakes, toiletries, etc., which the inmates can purchase. The inmates who are indigent can receive hygiene items from an Inspector.

After receiving the kites from the inmates, Warden Lisath stated he called Appellant Griffin to his office, told him of the allegations and told him that if he was giving commissary items to inmates in exchange for information, that he needed to cease doing so immediately. Warden Lisath explained this was when Appellant Griffin's office was still on the first floor. Appellant Griffin told him he would stop giving the items to inmates.

Appellee's Exhibit 6E was identified by Warden Lisath as the telephone monitoring system policy. He stated all calls from and to inmates are recorded. He stated he has always told Appellant Griffin that he needed to follow policy. Warden Lisath explained that it is important to know what the conversations were about, including the conversations on the "snitch line", so he could listen to them to determine any appropriate action and also to cover the liability of the institution.

Warden Lisath testified he received information from another inspector that while he was working on an investigation, he was told by an offender that the conversations on the "snitch line" were not being recorded. The Warden then

contacted the Chief Inspector's office, as well as his supervisor, and Appellant Griffin was then placed on administrative leave. He identified Appellee's Exhibit 6F as an email to him from Chris Gickler, which indicated Appellant Griffin disabled the record function. Mr. Gickler is an employee of GTL, which is the company that provides the inmate monitoring phone system for the institution.

After Appellant Griffin was removed from his position, Warden Lisath testified there was a large amount of commissary items found in the cabinets in Appellant Griffin's office. He stated the amount of items was voluminous enough to fill a large conference table and they were items specific to the commissary at the institution. He testified there was no reason for those items to be in Appellant Griffin's office.

On cross examination Warden Lisath testified he was not sure, but thought he moved Appellant Griffin's office sometime in early 2013. In looking at Appellant's Exhibit A, Warden Lisath identified the document as Appellant Griffin's performance evaluation for the period of March 31, 2013 to March 31, 2014. He stated that generally, the evaluation was positive.

Appellee's next witness was Chris Gickler, an employee of GTL, which he explained is a company that has held the inmate telephone contract with Appellee since 1989. Mr. Gickler testified he knew Appellant Griffin as an investigator. He stated the "snitch line" is a private direct dial line which terminates in an office and what looks like another regular telephone call to other inmates. He stated this line is recorded by default. Mr. Gickler explained that as an obligation of his company's contract, all calls are recorded. In order to change that setting, an amendment or modification to the contract would be needed. He stated that any authorized user, normally members of the investigative staff, can turn off the recording function with the approval of the Warden and Chief Investigator.

Mr. Gickler testified Appellant Griffin was an authorized user, which enabled him to run reports, look up PIN numbers, listen to recordings and turn off recordings. He stated that if a recording is turned off or if an inmate's PIN is turned off, then every time a call is made, it is not recorded. He also stated that a recording of a particular PIN number or phone number could be turned off. The record function could then only be turned back on by a GTL staff person. If an employee of Appellee tried to turn on the record function again, there would be a false positive as no recording would actually be made. Mr. Gickler explained that in order to turn off the record function, the user would look up a phone number, uncheck the box that says "record" and then hit "confirm".

Appellee's Exhibit 6F was identified by Mr. Gickler as his email regarding the "snitch line" in Appellant Griffin's office. He stated he was contacted by Lieutenant Sexton who told him he could not see that the recording function was turned on.

Mr. Gickler testified he contacted the technical service at GTL, and after running some reports, he found that the user who turned off the recording function was Appellant Griffin and he turned it off on March 26, 2013. Appellee's Exhibit 6J was identified by Mr. Gickler as the "snitch line" report he ran. Appellee's Exhibit 6G was identified as the call detail report summary he ran for a particular inmate, Pryor, from the time period of January 1, 2013 to September 4, 2014. It showed there was sixteen hours and thirty-five minutes of talk time and two different PINs were used and none of those conversations were recorded.

On cross examination Mr. Gickler testified Appellant Griffin had to use his user ID and password to log into the system. He stated that if Appellant Griffin had wanted to report that the recording function was not working, he could have emailed or called tech support or could have told Mr. Gickler. Either way, a ticket would have been opened and the problem would have been looked at. He explained again that the record function is specific to a particular number, so if the function is turned off, there is no record of the conversation from that specific number.

Adam Long testified he is a systems administrator with GTL and is responsible for managing the day to day operations and also opens tickets. He stated he knows Appellant Griffin as an Investigator with Appellee and stated he is familiar with the "snitch line". Mr. Long testified that he has no recollection of any contact with Appellant Griffin regarding the record function of the telephone system. He identified Appellee's Exhibit 6I as a search of his records and stated he did not find any ticket request from Appellant Griffin. He testified he looked for anything with Appellant Griffin's name or the name of Appellee. Mr. Long testified there is no reason that he would not have generated a ticket upon request. He stated Appellant Griffin had his cell phone number and his email address and could have contacted him at any time he wanted.

Appellant Griffin testified he is currently employed as a newspaper delivery person. He stated he began his employ with the Department in March, 1992. When he began as an Investigator, Appellant Griffin testified he attended a two day training with another investigator and then learned the rest on the job. His two days of training was with Mr. Kearns. He stated Mr. Kearns taught him some things about extracting information from inmates and told him to give the inmate a cigarette in exchange for information. He testified this was an unwritten rule or method to stop contraband from coming into the prison.

Appellant Griffin testified the Warden told him to stop providing commissary items to inmates and after that, he did not continue to do so. With regard to inmate Morgan, Appellant Griffin testified that he gave him items prior to the Warden telling him to stop and stated that the Warden did not tell him to stop until after he had

moved his office upstairs. Appellant Griffin denied having any inappropriate relationships with inmates.

Appellant Griffin testified he had to ask another investigator how to listen to phone calls and that he does not know how to disable the record function. He testified that he did not disable the record function. He stated that in approximately February, 2014, he noticed that the icon showing the record function was not appearing on his screen so he called Adam Long and told him. It still had not been fixed by June, so he testified he called Mr. Long again. Appellant Griffin identified Appellant's Exhibit Q as a document showing the telephone calls he made to Mr. Long's cell phone number, as well as to other numbers. He stated Mr. Long told him he would take care of it.

On cross examination Appellant Griffin testified that not all of his calls to Mr. Long were about the recording function. He testified he called Mr. Long one time in May and two or more times in June, 2014. Appellant's Exhibit Q shows that the phone calls to Mr. Long were one minute or less in duration and Appellant Griffin stated those phone calls were not about the recording function. He stated he did not send Mr. Long an email about the recording function as he knows he called him and told him it was not working and Mr. Long told him he would take care of it.

### **FINDINGS OF FACT**

After thoroughly reviewing the testimony of the witnesses and the documents admitted into evidence, I find the following facts:

1. Appellant Griffin had been employed with the Department for approximately twenty-two years at the time of his removal in January, 2015. He had no prior disciplinary history.
2. At the time of his removal, Appellant Griffin was an Investigator and as such, he had access to the inmate "snitch line" in his office. Inmates would call him on that line and Appellant Griffin was responsible for assigning PINs to the inmates to use when calling on the "snitch line".
3. All calls to the "snitch line" were set to be recorded by default. In order to stop recording calls, it was necessary to actually turn off the recording function.
4. Approximately sixteen (16) hours of telephone calls were not recorded from the "snitch line" as the recording function had been turned off.

5. GTL, a contractor with Appellee who administers the inmate telephone system, ran reports and determined that it was Appellant Griffin's User Identification and password that was used to turn off the recording function.
6. Appellant Griffin had been trained to trade items from the commissary with inmates in order to gain information from the inmates. This practice was stopped by Warden Lisath and Appellant Griffin was given a direct order to stop the practice.
7. After Appellant Griffin had been removed from his position, a large amount of commissary items were found in a cabinet in Appellant Griffin's office.
8. All statutory and administrative procedures were complied with in regard to Appellant Griffin's pre-disciplinary conference and in regard to the serving of and signature on the order of removal for Appellant Griffin.

### **CONCLUSIONS OF LAW**

In order for Appellant Griffin's removal to be affirmed, the Appellee had the burden of proving by a preponderance of the evidence the allegations in the order of removal. Appellee has met its burden of proof.

Appellee proved by a preponderance of the evidence that Appellant Griffin disabled the recording function on the "snitch" line, which resulted in phone conversations with inmates not being recorded. Inmate Pryor, in particular, seemed to be the inmate that was shown to have called the snitch line the most while the recording function was turned off. The evidence established that it was Appellant Griffin's user name and number which was used to set the system to not record on March 26, 2013. Appellant Griffin did not deny that he knew the system was not recording, as he testified he noticed the "record" icon was not showing up on his screen, which prompted him to call Mr. Long to alert him to the problem. He testified Mr. Long told him he would take care of it.

The problem with Appellant Griffin's testimony is that it is not credible. As an investigator, he was charged with talking to inmates and was provided with a "snitch" line which rang directly into his office so he could talk freely to inmates who may provide him with useful information. The testimony did not reveal any other person who had access to this "snitch" line, only Appellant Griffin. Therefore, if calls were not recorded on this "snitch" line, there was no one else in the entire Institution who knew what Appellant Griffin was talking to an inmate about or what an inmate

was telling him. Knowing this fact, one would think that if the recording function was not showing up on his screen, Appellant Griffin would have emailed or called Mr. Long to open a ticket and get the recording function working again as soon as possible. The evidence revealed many emails between Appellant Griffin and Mr. Long, but Appellant Griffin never mentioned the problem to Mr. Long in an email. Instead, he testified he called Mr. Long to tell him of the problem. The telephone logs show many calls to Mr. Long from Appellant Griffin's phone number, and Appellant Griffin testified he called Mr. Long about a number of subjects, but he testified he called Mr. Long a few times about the recording problem. Mr. Long testified he checked his records and could not find any email referencing the recording problem and he did not recall having a conversation with Appellant Griffin about the recording problem. In fact, it was not Appellant Griffin who alerted Mr. Long to the problem, but Lieutenant Sexton.

Appellant Griffin could give no explanation as to why his user name and number showed up as turning off the recording function. It also appeared convenient that Appellant Griffin testified he did not email about Mr. Long about the record function being off, as that would have at least provided a paper trail that he did something to alert someone to the problem, but instead he testified he called Mr. Long about the problem, and of course, there is no record detailing the subject matter of the calls he placed to Mr. Long. It becomes a "he said-he said" problem, but considering the fact Appellant Griffin has more at stake to lose than anyone, his testimony needed to be bolstered by some other evidence to show he did not disable the record function, and there was no such evidence produced.

As an Investigator, Appellant Griffin must be presumed to know how to conduct an investigation. If he had alerted Mr. Long to the problem of the recording function not working, and he was not receiving any feedback or resolution of the problem, it would appear reasonable to go up the chain of command to achieve a result. He could have emailed Mr. Long and asked him why he was not following up on his telephone conversation with him. Instead, Appellant Griffin appeared to do nothing and just wait. His inaction points to his lack of credibility and to poor investigative skills. Once Lieutenant Sexton notified Mr. Long or Mr. Gickler, the issue was researched and resolved. If Appellant Griffin had actually notified either of those gentlemen about the problem, then it would seem logical that it would have been addressed as quickly as it was after Lieutenant Sexton notified them.

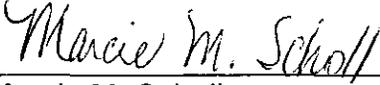
Appellant Griffin testified he was familiar with the Standards of Employee Conduct. His action of disabling the recording function and not reporting it, violated Rule 7 by not following the Inmate Telephone Monitoring System Policy and Rule 38 by engaging in an act which constituted a threat to the security of Appellee. The threat to the security of the Institution was a result of approximately sixteen (16) hours of conversation with an inmate, mostly between inmate Pryor and Appellant

Griffin, not being recorded and no way for the Warden or anyone else to know what the substance of those conversations were. Anything that is shrouded in secrecy within a prison must be looked at as suspect and as a possible security breach. Rule 50 was also violated, as Appellant Griffin's actions were certainly a failure of good behavior and neglect of duty.

Appellee did not prove the allegation that Appellant Griffin gave commissary items to inmates after being directed by the Warden to cease doing so. The testimony by Ms. Morgan did not establish that Appellant Griffin gave any specific inmate commissary items. She testified she was asked by Appellant Griffin to give a brown bag containing ramen noodles to an inmate, but not to a specific inmate. She could not recall the time period that this happened and Warden Lisath offered no proof that Appellant Griffin disobeyed his order. The fact that an abundance of commissary items were found in Appellant Griffin's office after his removal does not prove that he was continuing to give them out. It is odd that Appellant Griffin would have so many commissary items in his office, but there was no proof offered that he was giving inmates those items in exchange for information.

Even though Appellee failed to prove that Appellant Griffin disobeyed a direct order from Warden Lisath to stop trading commissary items for information, the fact that Appellee did prove that Appellant Griffin disabled the record function, is enough to affirm the removal. In looking at the disciplinary grid, a first violation of Rules 38 and 50, carry a possibility of removal on the first offense. While this was the first instance of discipline in Appellant Griffin's approximate twenty-two (22) years of service, there was no evidence of abuse of discretion on the part of the appointing authority. Given the possible threat to the security of the institution by Appellant's Griffin's actions, the appointing authority did not abuse its discretion in removing Appellant Griffin. Absent a showing of an abuse of discretion, this Board cannot substitute its judgment for that of an appointing authority.

Therefore, I respectfully **RECOMMEND** that Appellee's removal of Appellant Griffin be **AFFIRMED** pursuant to section 124.34 of the Ohio Revised Code.

  
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Marcie M. Scholl  
Administrative Law Judge