

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

HENRY E. LESTER,

*Appellant*

v.

Case No. 05-MIS-02-0071

CLERMONT COUNTY BOARD OF COMMISSIONERS,

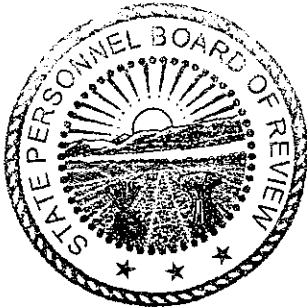
*Appellee*

**ORDER**

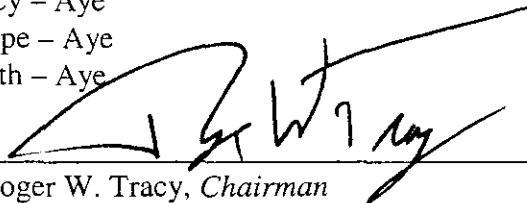
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

After a thorough examination of the record and 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 be **DISMISSED** for Appellant's failure to timely file.



Tracy – Aye  
Lumpe – Aye  
Booth – Aye

  
\_\_\_\_\_  
Roger W. Tracy, *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 the foregoing is ~~(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 2, 2005.

  
\_\_\_\_\_  
*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**

HENRY E. LESTER,

Case No. 05-MIS-02-0071

*Appellant*

v.

May 23, 2005

CLERMONT COUNTY BOARD OF COMMISSIONERS,

*Appellee*

JAMES R. SPRAGUE  
*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 from the denial of his end of probationary period increase, notice of which denial Appellant indicated he received on July 2, 2003.

I find that the State Personnel Board of Review is without jurisdiction to hear this appeal because the appeal was not filed within thirty (30) calendar days after Appellant received actual notice of the denial of his end of probationary period increase as required by Ohio Administrative Code Section 124-1-03(I);

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **DISMISS** this appeal for Appellant's failure to timely file.

HENRY E. LESTER  
Case No. 05-MIS-02-0071  
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JAMES R. SPRAGUE  
*Administrative Law Judge*

JRS: