

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

LARRY J. ONEY JR,

Appellant

v.

Case No. 05-REM-01-0005

DEPARTMENT OF YOUTH SERVICES, CENTRAL OFFICE,

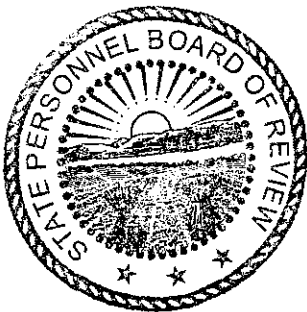
Appellee

ORDER

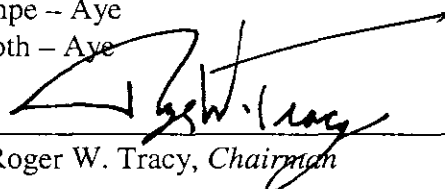
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 appear at the scheduled status conference.



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, November 8, 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**

Larry J. Oney, Jr,

Case No. 05-REM-01-0005

Appellant

v.

September 12, 2005

Department of Youth Services,
Central Office,

Appellee

Jeannette E. Gunn
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on September 9, 2005. A record hearing was scheduled to take place on September 8, 2005, at 10:00 a.m. Notice of that record hearing was originally served on Appellant by regular mail on May 12, 2005. That notice was sent to the address provided to the Board by Appellant; the notice was subsequently returned to the Board on June 15, 2005, with the USPS notation "forwarding notice expired." The notice was remailed to the new address provided by the USPS on June 24, 2005. That notice was again returned to the Board with the USPS notation "return to sender." On August 30, 2005, the September 8, 2005, record hearing was converted to a status conference.

Appellee appeared before the Board on September 8, 2005, and was represented by Joseph N. Rosenthal, Assistant Attorney General. Appellant failed to appear and Appellee moved to dismiss this appeal.

Ohio Administrative Code Section 124-5-01 requires Appellant to provide this Board with his her name, address, and telephone number, and to notify the Board, in writing, of any change of address during the pendency of the appeal. Appellant has at no time notified this Board of any change of address or telephone number, or otherwise contacted this Board with regard to his appeal. I find that notice was properly served on Appellant of the record hearing/status conference scheduled for September 8, 2005. I further find that no good cause has been shown for Appellant's failure to appear at the September 8, 2005, status conference.

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Therefore, I respectfully **RECOMMEND** the Appellee's motion be **GRANTED**
and the appeal be **DISMISSED**.


Jeannette E. Gunn
Administrative Law Judge

JEG: