

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

FREDRICK M. ALSTON JR.,

Appellant

v.

Case No. 05-REM-01-0014

MONTGOMERY COUNTY BOARD OF
MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

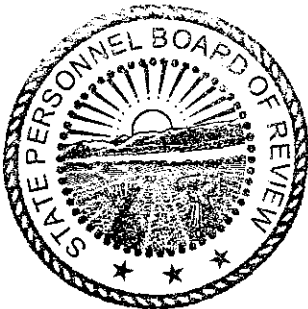
Appellee

ORDER

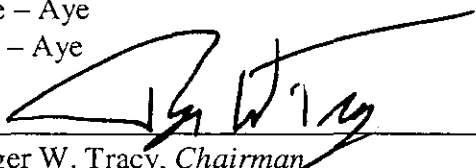
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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** due to Appellant's failure to appear at the scheduled record hearing, pursuant to O.A.C. 124-11-19(A).



Tracy – Aye
Lumpe – Aye
Booth – Aye



Roger W. Tracy, *Chairman*

CERTIFICATION

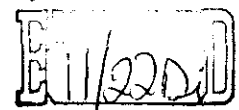
The State of Ohio, State Personnel Board of Review, ss:

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 22, 2005.



Diana Mills
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

Fredrick M. Alston, Jr.,

Case No. 05-REM-01-0014

Appellant

v.

September 15, 2005

Montgomery County Board of Mental Retardation
and Developmental Disabilities,

Appellee

Marcie M. Scholl
Administrative Law Judge


REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on September 15, 2005. Appellee appeared and was represented by Laura G. Mariani, Assistant Prosecuting Attorney. Appellant failed to appear and Appellee moved to dismiss this appeal.

I find notice was properly served on Appellant on May 12, 2005, by regular mail, and no good cause has been shown for Appellant's failure to appear.

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



Marcie M. Scholl
Administrative Law Judge

MMS:dlm