

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

MARISA S. REGENT,

Appellant,

v.

Case No. 06-ABL-02-0023

DEPARTMENT OF HEALTH,

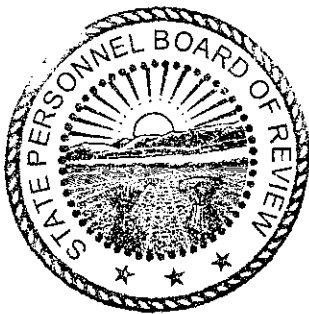
Appellee.

ORDER

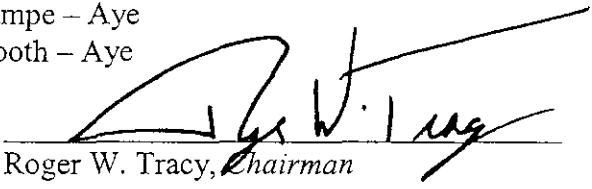
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 this 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**, since there has been no employment action taken over which this Board may exercise jurisdiction, pursuant to R.C. 124.03(A) and O.A.C. 124-9-05.



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 21, 2006.


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**

Marisa S. Regent,

Case No. 06-ABL-02-0023

Appellant

v.

July 11, 2006

Department of Health,

Jeannette E. Gunn

Appellee

Administrative Law Judge

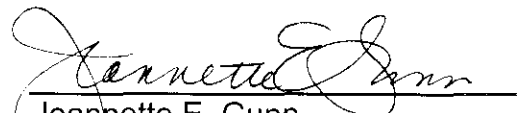
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause came on pursuant to a review of the information contained in the record. Appellant filed an appeal of her verbal notification of the abolishment of her position on February 1, 2006. On June 30, 2006, Appellee filed a response to this Board's June 19, 2006, Procedural Order and Questionnaire indicating that Appellant's position had not been abolished. Appellant filed no reply to Appellant's response.

Pursuant to O.A.C. 124-9-05, this Board has the authority to order evidence taken in the form of questionnaires at any time prior to hearing. O.A.C. 124-9-05(C) further provides that questionnaires may be used as the sole basis for deciding any appeal.

Therefore, as the uncontroverted information contained in the record indicates that Appellant's position has not been abolished, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED**, in accordance with O.A.C. 124-9-05, as there has been no employment action taken over which this Board may exercise jurisdiction.


Jeannette E. Gunn
Administrative Law Judge

JEG: