

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

IVERSON MAY,

Appellant,

v.

Case No. 06-REM-02-0048

CLARK COUNTY ENGINEER,

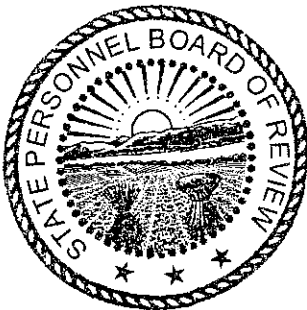
Appellee.

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**, as there is no remaining justiciable issue.



Tracy – Aye
Lumpe – Aye
Booth – Aye

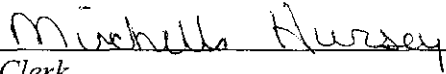


Roger W. Tracy, *Chairman*

CERTIFICATION

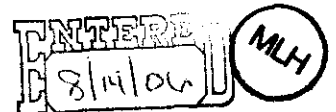
The State of Ohio, State Personnel Board of Review, ss:

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 14, 2006.



Michelle Hursey
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**

Iverson May,

Case No. 06-REM-02-0048

Appellant

v.

June 7, 2006

Clark County Engineer,

Jeannette E. Gunn

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on pursuant to Appellee's Motion to Dismiss, filed with this Board on March 24, 2006. Appellant has filed no memorandum contra.

Appellant filed this appeal to contest his disciplinary removal from employment with Appellee, effective February 17, 2006. Appellee asserted in its Motion to Dismiss that Appellant's February 17, 2006, disciplinary removal was rescinded on or about March 6, 2006, due to a possible defect in the Order of Removal. As a result of that rescission, Appellant was reinstated with a retroactive effective date of February 8, 2006, and Appellee filed a second Order of Removal with this Board, effective March 10, 2006. Appellant received full back pay and benefits for the period of February 8, 2006, through March 10, 2006.

As noted by Appellee in its Motion to Dismiss, Appellant has received full remedy for his February 17, 2006, disciplinary removal. There is no additional legal remedy which can be provided by this Board.

Therefore, I respectfully **RECOMMEND** that Appellant's appeal be **DISMISSED**.



Jeannette E. Gunn
Administrative Law Judge

JEG: