

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

SHANNON SELLARDS,

Appellant,

v.

Case No. 06-REM-03-0052

GREENE COUNTY COMBINED HEALTH DISTRICT,

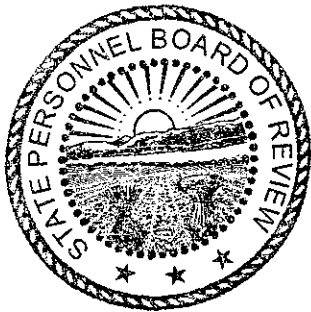
Appellee.

ORDER

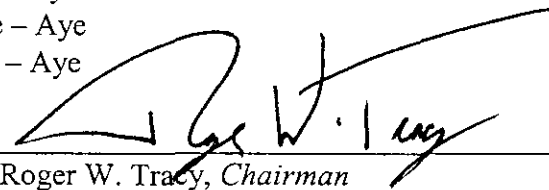
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 lack of jurisdiction over its subject matter, pursuant to O.R.C. § 124.27(C).



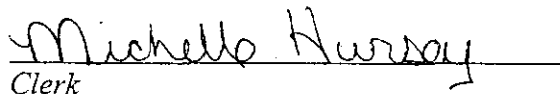
Tracy – Aye
Lumpe – Aye
Booth – Aye


Roger W. Tracy, *Chairman*

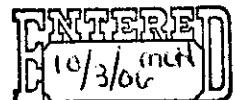
CERTIFICATION

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, October 3, 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**

Shannon Sellards,

Case No. 06-REM-03-0052

Appellant

v.

July 11, 2006

Greene County Combined Health District,

Jeannette E. Gunn

Appellee

Administrative Law Judge

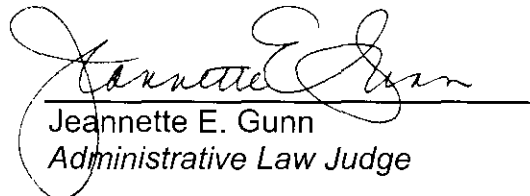
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on July 11, 2006, pursuant to Appellee's response to this Board's June 19, 2006, Procedural Order and Questionnaire, filed with this Board on June 26, 2006. To date, Appellant has filed no memorandum *contra*.

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. Based upon the uncontroverted information contained in the record, I find that Appellant was appointed as Sanitarian-In-Training on January 9, 2006. I further find that this classification has been assigned a 180-day probationary period. Appellant was removed during her probationary period.

Therefore, because there is no right to appeal from a removal which occurs during a probationary period, see R.C. 124.27(C), I respectfully **RECOMMEND** that this Board **DISMISS** the instant appeal for lack of jurisdiction over the subject matter.



Jeannette E. Gunn
Administrative Law Judge

:jeg