

**STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW**

Robert Schmeling,

*Appellant,*

v.

Case No. 07-REM-01-0036

Attorney General,

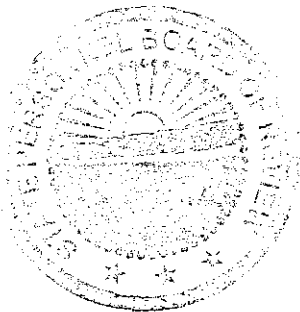
*Appellee.*

**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 comply with this Board's July 12, 2007 Procedural Order, pursuant to O.A.C. § 124-11-13(B).



Lumpe – Aye  
Booth – Aye  
Tracy – Not participating

  
\_\_\_\_\_  
J. Richard Lumpe, *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, September 26, 2007.

  
\_\_\_\_\_  
Michelle Huxley  
Clerk

**NOTE:** Please see the reverse side of this Order **or** the attachment to this Order for information regarding your appeal rights.

1-362-00

**STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW**

Robert Schmeling,

Case No. 07-REM-01-0036

*Appellant*

v.

August 8, 2007

Attorney General,

Elaine K. Stevenson

*Appellee*

*Hearing Officer*

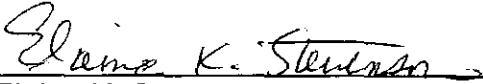
**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This matter came on for consideration on August 8, 2007, the date scheduled for a pre-hearing in the above-captioned appeal. Appellee was present through its counsel, Associate Assistant Attorney General Julie M. Pfeiffer and Assistant Attorney General Brooke E. Leslie. Appellant failed to appear and Appellee moved to dismiss this appeal.

The information contained in the record established that this Board issued a Procedural Order/Notice of Pre-Hearing, which was properly served on Appellant on July 12, 2007. Because no good cause has been shown for Appellant's failure to appear at the pre-hearing, the record hearing scheduled for September 11, 2007 at 10:00 a.m. is VACATED.

Based on the foregoing, I respectfully **RECOMMEND** that Appellee's motion be granted and the instant appeal be **DISMISSED** due to Appellant's failure to comply with this Board's July 12, 2007 Procedural Order, pursuant to O.A.C. § 124-11-13(B).

  
Elaine K. Stevenson  
*Hearing Officer*

EKS:/