

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

Eavon L. Mobley,

Appellant,

v.

Case No. 07-REM-02-0050

Ohio State University Press,

Appellee.

ORDER

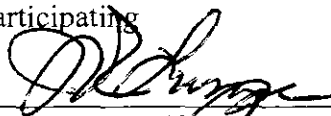
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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, pursuant to O.A.C. § 124-11-19(A).



Lumpe – Aye
Booth – Aye
Tracy – Not participating

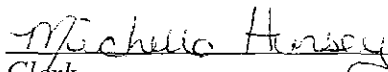


J. Richard Lumpe, *Chairman*

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 25, 2007.



Michellia Hensley
Clerk

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

9/25/07

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

Eavon L. Mobley,

Case No. 07-REM-02-0050

Appellant

v.

August 22, 2007

Ohio State University Press,

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 22, 2007, the scheduled record hearing date in the above-captioned appeal. Appellee appeared through its designee, Malcom Litchfield, Director of the Ohio State University Press, and was represented by Assistant Attorneys General Joseph N. Rosenthal and Brooke E. Leslie. On August 22, 2007 at approximately 9:30 a.m., Appellant telephoned the offices of the State Personnel Board of Review to notify the Board that she would not be present at the record hearing scheduled to begin at 10:00 a.m. because she was out of town on an interview. On August 22, 2007 at 10:00 a.m., Appellant filed a request for a continuance. Appellant's request for continuance states that she was delayed from returning to Columbus from an appointment out of town due to the stormy weather last evening. On August 22, 2007 at 10:34 a.m., Appellee moved to dismiss this appeal due to Appellant's failure to appear.

I find that the information contained in the record established that Appellant was properly served with the record hearing notice on April 16, 2007, four months in advance of the record hearing date. I further find that Appellant's conflicting interview schedule does not constitute good cause for her failure to appear at the record hearing. Therefore, I respectfully **RECOMMEND** that Appellee's motion be **GRANTED** and the instant appeal be **DISMISSED** due to Appellant's failure to appear, pursuant to O.A.C. § 124-11-19(A).


Elaine K. Stevenson
Hearing Officer

EKS:/