

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

William R. Loetz Jr.

Case Nos. 08-REM-03-0076
08-RED-03-0077

Appellant,

v.

Geauga County Engineer,

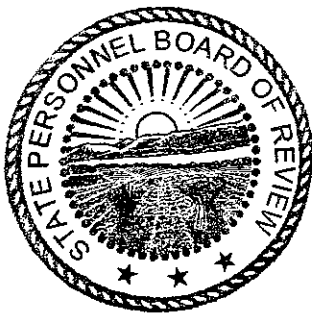
Appellee

ORDER

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

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 appeals be **DISMISSED** as moot, pursuant to O.R.C. § 124.34.



Lumpe - Aye
Booth - Aye
Sfalcin - Aye

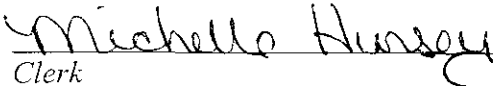


J. Richard Lumpe, *Chairman*

CERTIFICATION

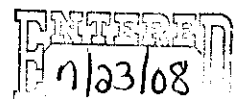
The State of Ohio, State Personnel Board of Review, ss:

I, the undersigned clerk of the State Personnel Board of Review, hereby certify that this document and any attachment thereto constitute ~~(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, July 23, 2008.



Michelle Hunsley
Clerk

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



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William R. Loetz, Jr.,

Appellant

v.

Geauga County Engineer,

Appellee

Case Nos. 08-REM-03-0076
08-RED-03-0077

June 19, 2008

Jeannette E. Gunn
Administrative Law Judge

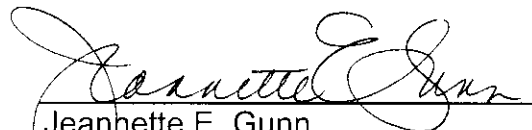
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on for consideration pursuant to Appellee's Motions to Dismiss, filed in the above-referenced appeals on May 19, 2008. Appellant filed no memoranda *contra*.

Appellant filed an appeal with this Board of his alleged removal and reduction. Appellee asserted in its Motion to Dismiss that Appellant was neither removed nor reduced pursuant to R.C. 124.34, but was, in fact, laid off pursuant to an abolishment of his position. Appellant has pending before this Board an appeal of his layoff and position abolishment (SPBR Case Nos. 08-ABL-03-0074 and 08-LAY-03-0075).

Accordingly, based upon the uncontroverted evidence contained in the record, I find that Appellant was neither removed, nor reduced pursuant to R.C. 124.34. Therefore, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED** as moot.


Jeannette E. Gunn
Administrative Law Judge

JEG: