

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

Cynthia L. Baugh-Gunder,

Appellant,

v.

Case No. 08-LAY-06-0412

Department of Rehabilitation and Correction,
Oakwood Correctional Facility,

Appellee.

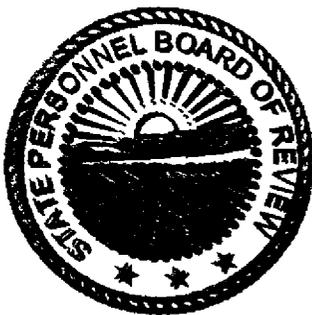
ORDER

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** as untimely, pursuant to O.A.C. § 124-1-03(B).

Lumpe - Aye
Booth - Aye
Sfalcin - Aye





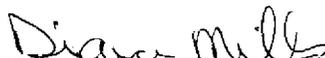
J. Richard Lumpe, *Chairman*

CERTIFICATION

11/24/08

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, November 24, 2008.



Diane Mills
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**

Cynthia L. Baugh-Gunder,

Case No. 08-LAY-06-0412

Appellant

v.

September 24, 2008

Department of Rehabilitation & Correction,
Oakwood Correctional Facility,

Appellee

James R. Sprague
Administrative Law Judge

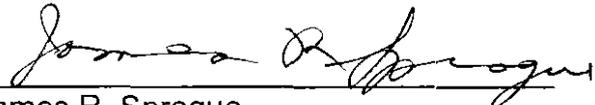
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration September 24, 2008, upon Appellant's filing of an appeal of her layoff. Information contained in the record indicates that Appellant received notice of her layoff on June 13, 2008; Appellant's appeal was filed with this Board on June 25, 2008, and was postmarked June 24, 2008.

I find that the State Personnel Board of Review is without jurisdiction to hear this appeal because the appeal was not filed within ten (10) calendar days after Appellant received notice of the layoff, as required by Ohio Administrative Code Section 124-1-03(B).

Therefore, I respectfully **RECOMMEND** that this appeal be **DISMISSED**.



James R. Sprague
Administrative Law Judge