

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Rebecca J. Schmersal,

Appellant,

v.

Case No. 08-WHB-08-0471

University of Toledo,

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 respond to the questionnaire and to further her appeal, pursuant to O.R.C. § 124-341.



Lumpe - Aye
Sfalcin - Aye
Tillery - Aye

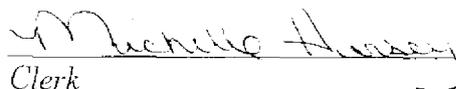


J. Richard Lumpe, *Chairman*

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, May 1, 2009.



Michelle Hensley
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**

Rebecca J. Schmersal

Case No. 08-WHB-08-0471

Appellant

v.

March 13, 2009

University of Toledo

Marcie M. Scholl

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause came on for consideration on March 13, 2009. On November 18, 2008, this Board issued a Procedural Order and Questionnaire to Appellant Schmersal regarding the filing of a written document pursuant to section 124.341 of the Ohio Revised Code. Appellant Schmersal was ordered to respond to the questionnaire by December 2, 2008. The Procedural Order stated that "if the questionnaire is not completed and returned by the due date, then this Board may take whatever action is appropriate." To date, Appellant Schmersal has not completed nor returned the questionnaire as ordered.

Therefore, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED** due to Appellant Schmersal's failure to respond to the questionnaire and to further her appeal.



Marcie M. Scholl

Administrative Law Judge

:mms