

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

Marti Pireu,

*Appellant,*

Case Nos. 09-ABL-08-0364  
09-LAY-08-0365

v.

Stark County,  
Department of Job and Family Services,

*Appellee.*

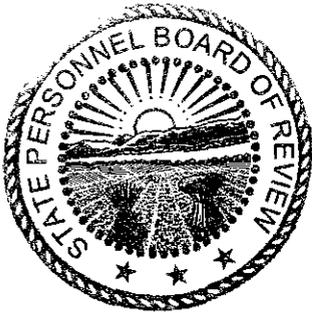
**ORDER**

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

Lumpe - Aye  
Sfalcin - Aye  
Tillery - Aye

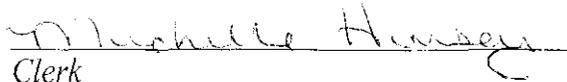


  
\_\_\_\_\_  
J. Richard Lumpe, *Chairman*

**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, December 22, 2009.

  
\_\_\_\_\_  
Michelle Hansen  
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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Marti Pireu,

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Stark County Department of  
Job & Family Services,

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Case Nos. 09-ABL-08-0364  
09-LAY-08-0365

October 2, 2009

Jeannette E. Gunn  
*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This matter came on for consideration October 2, 2009, upon Appellant's filing of an appeal of her job abolishment and subsequent layoff. Information contained in the record indicates that Appellant received notice of the abolishment and layoff on July 28, 2009. Appellant's appeals were filed with this Board on August 10, 2009; the mailing envelope did not have a postmark date on it.

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

Therefore, I respectfully **RECOMMEND** that the above-referenced appeals be **DISMISSED** as untimely filed.

  
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Jeannette E. Gunn  
*Administrative Law Judge*

JEG: