

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Michael W. Thomas,

Appellant.

v.

Case No. 10-MIS-03-0077

Department of Rehabilitation and Correction,
Marion Correctional Institution,

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 - Not Participating
Sfalcin - Aye
Tillery - Aye



Adriana Sfalcin, *Vice 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, October 1, 2010.



Michelle H. Haggerty
Clerk

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

10/1/10MH

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

MICHAEL W. THOMAS,

Case No. 10-MIS-03-0077

Appellant

v.

September 8, 2010

DEPARTMENT OF REHABILITATION AND CORRECTION,
MARION CORRECTIONAL INSTITUTION,

Appellee

JAMES R. SPRAGUE
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on September 7, 2010. Appellee appeared and was represented by Timothy M. Miller, Assistant Attorney General. Appellant failed to appear and Appellee moved to dismiss this appeal.

I find notice was properly served on Appellant on July 8, 2010, by regular mail, and no good cause has been shown for Appellant's failure to appear.

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **GRANT** Appellee's motion and **DISMISS** the instant appeal for Appellant's failure to appear, pursuant to O.A.C. 124-11-19 (A) .



JAMES R. SPRAGUE
Administrative Law Judge

JRS: