

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

William T. Hart,

Appellant.

v.

Case No. 10-SUS-11-0310

Department of Administrative Services,
Office of Employee Services,

Appellee.

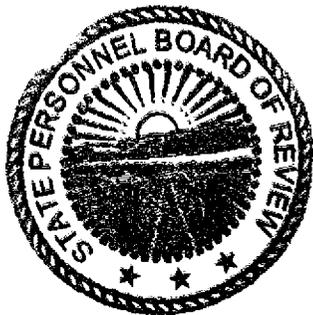
ORDER

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** since appellant was not, in fact, suspended and he wrote in a December 10, 2010 letter to Appellee's counsel that he wishes to withdraw this appeal of a purported suspension and move forward on his abolishment and layoff appeals (Case Nos. 10-ABL-11-0308 and 10-LAY-11-0309).

Casey - Aye
Lumpe - Aye
Tillery - Aye





Terry L. Casey, *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, February 4, 2011.



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**

WILLIAM T. HART,

Case No. 10-SUS-11-0310

Appellant

v.

December 21, 2010

DEPT OF ADMINISTRATIVE SERVICES,
OFFICE OF EMPLOYEE SERVICES,

BETH A. JEWELL

Appellee.

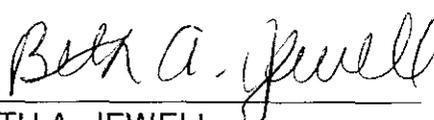
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on December 21, 2010, following the receipt of Appellee's December 20, 2010 Motion to Dismiss, which was filed by Appellee in response to a questionnaire. The questionnaire was prompted by an ambiguity presented by the boxes Appellant checked on his Notice of Appeal. I find that Appellant filed his Notice of Appeal to protest the abolishment of the position he held with Appellee and his subsequent layoff. Appellant was not, in fact, suspended, and he wrote in a December 10, 2010 letter to Appellee's counsel that he wishes to withdraw this appeal of a purported suspension and move forward on his abolishment and layoff appeals, Case Nos. 10-ABL-11-0308 and 10-LAY-11-0309, respectively, which have been consolidated and scheduled for prehearing and record hearing.

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



BETH A. JEWELL
Administrative Law Judge

BAJ: