

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

PHILLIP SMALLWOOD,

*Appellant,*

v.

Case Nos. 11-ABL-05-0134  
11-LAY-05-0135

DEPARTMENT OF TAXATION,

*Appellee*

**ORDER**

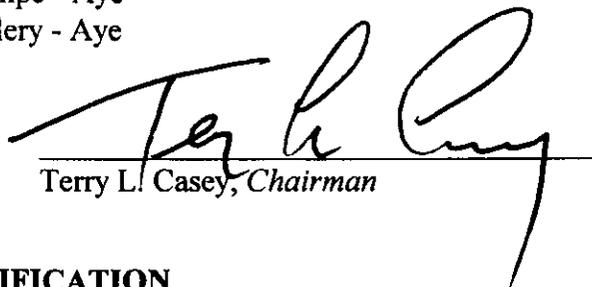
These matters came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeals.

After a thorough examination of the entirety of the records, including 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 Appellant's Motion is **GRANTED** and the instant appeals are **DISMISSED**.



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 constitutes ~~(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, July 11, 2012.



  
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**

Phillip Smallwood,

*Appellant*

v.

Department of Taxation,

*Appellee*

Case Nos. 11-ABL-05-0134  
11-LAY-05-0135

June 12, 2012

Jeannette E. Gunn  
*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

The instant matters came on to be heard on November 9 and 10, 2011, pursuant to Appellant's timely appeal from an abolishment of his position as a TCA Supervisor 1 and his subsequent layoff from employment. Appellant did not appear before the Board, however his representative, Marc E. Myers, Attorney at Law, appeared on that date and made an Oral Motion to Withdraw the above-referenced appeals.

Therefore, I respectfully **RECOMMEND** that Appellant's Motion be **GRANTED** and that the instant appeals be **DISMISSED**.

  
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Jeannette E. Gunn  
*Administrative Law Judge*

JEG: