

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

REBECCA PATRICK,

Appellant,

v.

Case No. 11-LAY-12-0383

METRO HEALTH MEDICAL CENTER,

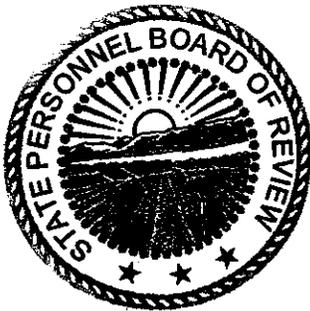
Appellee

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 entirety of the record, 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 Appellee's motion is granted and the instant appeal is **DISMISSED** for lack of jurisdiction, pursuant to Ohio Revised Code Sections 339.06 and 339.07, for Appellant's failure to file a memorandum *contra* to Appellee's motion to dismiss, pursuant to Ohio Administrative Code Section 124-11-07(A)(2) and (C), and for Appellant's failure to appear, pursuant to Ohio Administrative Code Section 124-11-19(A).



Casey - Aye
Lumpe - Aye
Tillery - Aye

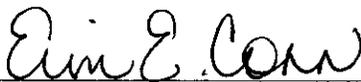

Terry L. Casey, Chairman

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, March 29, 2012.




Erin E. Conn
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 PATRICK,

Case No. 11-LAY-12-0383

Appellant

v.

February 7, 2012

METRO HEALTH MEDICAL CENTER,

JAMES R. SPRAGUE

Appellee

Administrative Law Judge

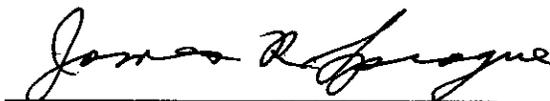
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on February 6, 2012 for status conference. The extant record reflects that Appellee (now known as "The MetroHealth System") is a county hospital organized under R.C. 339.06 and R.C. 339.07. Appellant was employed as a Senior Business Analyst by Appellee and Appellant has appealed her layoff from that position to this Board.

As stated in Appellee's motion to dismiss, filed January 23, 2012, this Board lacks merit jurisdiction over employees of county hospitals, pursuant to R.C. Chapter 339. Further, Appellant failed to file the required memorandum *contra* to Appellee's motion to dismiss. Finally, Appellant failed to appear for status conference.

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **GRANT** Appellee's motion, **DISMISSING** the instant appeal for lack of jurisdiction, pursuant to the R.C. 339.06 and 339.07, for Appellant's failure to file a memorandum *contra* to Appellee's motion to dismiss, pursuant to O.A.C. 124-11-07 (A) (2) and (C), and for Appellant's failure to appear, pursuant to O.A.C. 124-11-19 (A).



JAMES R. SPRAGUE
Administrative Law Judge

JRS: