

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

ABELL FULLER, JR,

*Appellant,*

v.

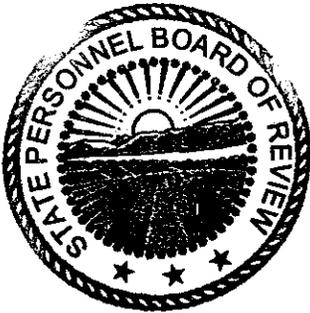
Case No. 11-REM-01-0008

DEPARTMENT OF TRANSPORTATION,

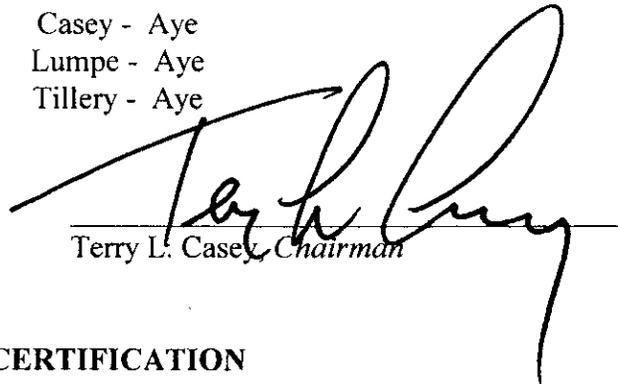
*Appellee,*

**ORDER**

This matter came on for consideration on the motion of Appellee that the Rescission attached hereto be adopted. Being fully advised in the premises, the Board hereby orders that the attached rescission, incorporated herein by reference and made a part of the case file in this appeal, be **ADOPTED**, and that Appellant's appeal be **DISMISSED**.



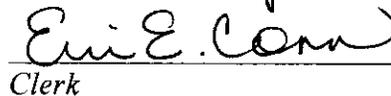
Casey - Aye  
Lumpe - Aye  
Tillery - Aye

  
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, January 20, 2012.

  
Eric E. Conn  
Clerk

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

ENTERED  
01.20.12

BEFORE THE STATE PERSONNEL BOARD OF REVIEW

ABEL FULLER,	:	
Appellant,	:	CASE NOS. 11-REM-01-0008
v.	:	
DEPARTMENT OF TRANSPORTATION,	:	JAMES A. SPRAGUE <i>Administrative Law Judge</i>
Appellee.	:	

STATE PERSONNEL  
 BOARD OF REVIEW  
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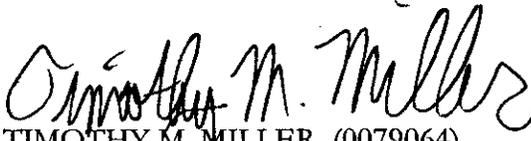
NOTICE OF RESCISSION

Appellee Ohio Department of Transportation, by and through counsel, hereby gives notice that it has rescinded the order of removal, effective December 30, 2010, imposed upon Appellant. A copy of the order of the removal, as well as a letter dated September 23, 2011 effectuating the rescission and signed by Mr. Jerry Wray, Director of the Ohio Department of Transportation, is attached hereto.

Based upon the foregoing, Appellee Ohio Department of Transportation, respectfully requests that the above-captioned appeal, filed by Appellant as a result of the removal, be dismissed.

Respectfully submitted,

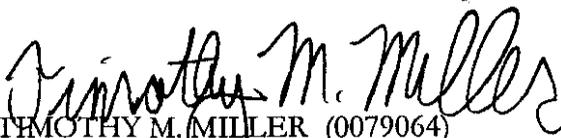
MIKE DEWINE (0009181)  
 Ohio Attorney General

  
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**CERTIFICATE OF SERVICE**

I certify that a copy of the above *NOTICE OF RESCISSION* was served upon Mr. Julius Carter, Esq., 130 W. Second Street, Suite 1600, Dayton, Ohio 45402, by ordinary U.S. Mail, postage prepaid this 13<sup>th</sup> day of January, 2012.

  
TIMOTHY M. MILLER (0079064)  
Assistant Attorney General