

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

REBECCA BROOKE,

*Appellant,*

v.

Case Nos. 11-SUS-08-0316  
11-SUS-12-0409

MORROW COUNTY JOB & FAMILY SERVICES,

*Appellee*

**ORDER**

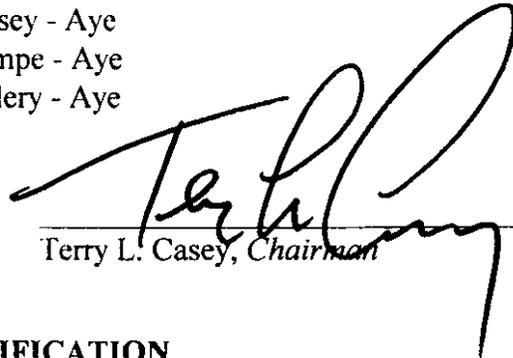
These matters came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeals.

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 Appellee's motion is granted and the instant cases are **DISMISSED** for lack of jurisdiction over their subject matters, pursuant to Ohio Revised Code Sections 124.03 and 124.34.



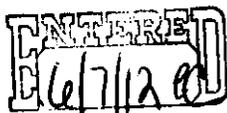
Casey - Aye  
Lumpe - Aye  
Tillery - Aye

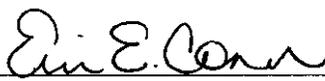
  
Terry L. Casey, *Chairman*

**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, June 07, 2012.



  
Erin E. Connor  
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 BROOKE,

*Appellant*

v.

May 17, 2012

Case Nos. 11-SUS-08-0316  
11-SUS-12-0409

MORROW COUNTY JOB AND FAMILY SERVICES,

*Appellee*

JAMES R. SPRAGUE  
*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

These matters came on due to the February 2, 2012 occurrence of a Status Conference that involved Appellant's then-pending four-day (40-hour) suspension from her position of Child Support Case Manager. Appellee has alleged that, subsequent to the date of the Status Conference, Appellant committed various offenses that included records improprieties. Thereafter, Appellant's aforementioned four-day suspension was rescinded and Appellant received a three-day suspension, over which this Board lacks subject matter jurisdiction.

Further, on April 9, 2012, this Board issued a Notice of Continuance regarding these two cases. In that Notice, this Board instructed Appellant that she had until April 16, 2012 at the close of business to file her memorandum *contra* to Appellee's April 6, 2012 filed motion to dismiss.

It is obvious that Appellant does not intend to file said memorandum *contra*. Further, Appellant has subsequently been removed from her position and has also filed an appeal with this Board from that same removal.

Since this Board now lacks jurisdiction over the instant appeals that involve Appellant's afore-mentioned suspension and since Appellant failed to respond to Appellee's duly filed motion to dismiss, the instant appeals should be dismissed.

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **GRANT** Appellee's motion and **DISMISS** the two instant cases for lack of jurisdiction over their subject matter, pursuant to R.C. 124.03 and R.C. 124.34.

REBECCA BROOKE  
Case Nos. 11-SUS-08-0316 and 11-SUS-12-0409  
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JAMES R. SPRAGUE  
Administrative Law Judge

JRS: