

IN THE COURT OF COMMON PLEAS CHAMPAIGN COUNTY, OHIO C06

MELANIE BAHAN,

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Appellant,

*

- vs -

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Case No. 2011 CV 146

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THE CITIZENS BANKING CO., et al,

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Journal Entry

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Appellees.

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FINAL APPEALABLE ORDER

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The case came before the Court on Appellant's R.C. §4141.282 appeal of the May 11, 2011 decision of the Unemployment Compensation Review Commission (UCRC). Said decision affirmed denial of Appellant's unemployment claim, finding the Request for Review was untimely. Parties have submitted briefs pursuant to the Court's scheduling order.

The Court finds that the sole issue for consideration is whether Appellant timely filed a Request for Review with the UCRC.

Upon consideration of all matters submitted, and using the standards of R.C. Chapter 4141, **the Court affirms the May 11, 2011 decision of the UCRC.** The Court finds that **Appellant failed to file a timely Request for Review** pursuant to R.C. §4141.281.


The Court finds that Appellant's February 15, 2011 facsimile transmission did not meet statutory requirements for a timely Request for Review and did not perfect an appeal in a manner prescribed by statute or case law. The Court finds that Appellant's February 15, 2011 submission was made prior to the rendering of the decision Appellant claims to have been appealing.

The Court further finds that Appellant's later submissions to the UCRC were beyond the statutory time period.

The Court also notes that, although Appellant claims she considered the February 15, 2011 submission to be an appeal, that filing does not indicate that it is such an appeal. Although they do not appear to be necessary to perfect such an appeal, the Court notes that the words "review" or "appeal" do not appear to be found in the document. See, e.x., Dragon v. State Unemployment Comp. Review Commn., 11th Dist. Ashtabula No. 2005-A-0017, 2006 Ohio 1447, ¶¶ 9, 18; R.C. §4141.281(D)(1).

The Court finds that the decision of the UCRC was not unlawful, unreasonable, or against the manifest weight of the evidence. **The decision that Appellant's administrative-level appeal was untimely is therefore affirmed.**

Appellant to pay costs.



Roger B. Wilson
Judge

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