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**IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO**

DOLORES SPENCE  
Plaintiff

UNEMPLOYMENT COMP. REVIEW COMMISSION  
ETAL  
Defendant

Case No: CV-11-768410

Judge: PETER J CORRIGAN

**JOURNAL ENTRY**

96 DISP.OTHER - FINAL

THE MATTER COMES BEFORE THE COURT AS A STATUTORY UNEMPLOYMENT COMPENSATION APPEAL FILED BY APPELLANT DOLORES SPENCE PURSUANT TO R.C. 4141.282. SPENCE APPEALS FROM THE DECISION OF THE OHIO UNEMPLOYMENT COMPENSATION REVIEW COMMISSION (COMMISSION) THAT DENIED HER CLAIM FOR BENEFITS ON THE BASIS THAT SHE WAS DISCHARGED FROM HER EMPLOYMENT AT INTEGRITY COMMUNICATIONS FOR JUST CAUSE UNDER R.C. 4141.29(D)(2)(A).

SPENCE, WHILE BEING COUNSELED FOR PERFORMANCE IMPROVEMENT PLANS FOR ATTENDANCE AND SALES QUOTAS, BECAME VERBALLY ABUSIVE AND THREW HER GLASSES STRIKING THE MANAGER COUNSELING HER. APPELLANT WAS IMMEDIATELY FIRED. IN ADDITION, THE RECORD SUBSTANTIATES APPELLEE'S POSITION AS SPENCE FAILED TO APPEAR FOR THE TELEPHONE HEARING. THEREFORE, THE COMMISSION'S DECISION IS NOT UNLAWFUL, UNREASONABLE OR AGAINST THE MANIFEST WEIGHT OF THE EVIDENCE AND IS AFFIRMED.

THE COURT STRIKES APPELLANT'S ATTACHED AFFIDAVIT ATTEMPTING TO SUPPLEMENT THE RECORD. THIS COURT CAN ONLY RELY ON EVIDENCE IN THE RECORD OF THE HEARING BELOW.

JUDGMENT AFFIRMED. COSTS TO APPELLANT.  
COURT COST ASSESSED AS DIRECTED.

Judge Signature

08/01/2012