

FILED
LUCAS COUNTY

2013 JAN 14 A 10:59

COMMON PLEAS COURT
PERN E. SOUTER
CLERK

IN THE COURT OF COMMON PLEAS, LUCAS COUNTY, OHIO

DIANGELO C. ALEXANDER,
Plaintiff/Appellant

vs.

OHIO DEPARTMENT OF JOB AND
FAMILY SERVICES, ET AL.,
Defendants/Appellees

*
*
*
*
*
*
*
*
*
*

Case No. G-4801-CI-201205815-000

ORDER

JUDGE STACY L COOK

This matter is before the Court upon the Motion to Dismiss for Lack of Jurisdiction, filed by Appellee Director, Ohio Department of Job and Family Services ("Director") on November 8, 2012. Plaintiff/Appellant DiAngelo C. Alexander ("Alexander") filed no opposition in response. The matter is now decisional.

Review of a decision of the Ohio Unemployment Compensation Review Commission is governed by R.C. 4141.282. In order for this Court to have proper jurisdiction, an appellant must

¹
E-JOURNALIZED
JAN 17 2013

meet the statutory requirements, as the right to appeal in Ohio is conferred by statute. See e.g. *Ramsdell v. Ohio Civil Rights Comm.*, 56 Ohio St. 3d 24, 27, 563 N.E.2d 285 (1990) ("We have always considered it to be fundamental that when the right to appeal is conferred by statute, the appeal can be perfected only in the mode prescribed by statute.")

R.C. 4141.282(C) provides the procedure to follow in perfecting appeal:

"The timely filing of the notice of appeal shall be the only act required to perfect the appeal and vest jurisdiction in the court. The notice of appeal *shall identify the decision appealed from.*" (emphasis added.)

On October 12, 2012, Alexander filed a pleading captioned "Notice of appeal," with a single paragraph that reads:


"I wish to file an appeal against the ODJFS as well as the State of Ohio Unemployment Compensation Review Commission based on the decisions they have made as to why they will not grant me my unemployment money that I deserve."

The notice names the ODJFS and the Review Commission as appellees, but fails to identify the "decisions" that are being appealed, as required by R.C. 4141.282(C).

As Alexander failed to perfect the appeal as required, the Court lacks jurisdiction to consider the appeal. Accordingly, the Court finds the Motion to Dismiss well-taken and GRANTED. It is therefore ORDERED that this matter is dismissed.

IT IS SO ORDERED.

4/11/13
Date


Judge Stacy L. Cook