

DANIEL M. HOBIGAN
IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

2013 MAR 13 PM 1:45

ALEXANDER R. STEPHEN,
Appellant
SUMMIT COUNTY
CLERK OF COURTS

CASE NO. CV-2012-09-5467

JUDGE THOMAS PARKER

vs.

OHIO DEPARTMENT OF
JOB AND FAMILY SERVICES,

FINAL JUDGMENT ENTRY

Appellee.

This case came on for consideration as a statutory unemployment appeal filed by Appellant Alexander Stephen (Stephen) on September 28, 2012 under R.C. 4141.282. Stephen appeals from the final *Decision* of the Unemployment Compensation Review Commission (UCRC) dated August 30, 2012 that denied his claim for unemployment benefits on the basis that he quit his employment at Bruce G. Obenour, d.b.a. Wendy's, without just cause under R.C. 4141.29(D)(2)(a) and held that he was overpaid unemployment benefits pursuant to R.C. 4141.35(A).

After due consideration, the Court hereby affirms and modifies the *Decision* of the UCRC as follows. Specifically, the Court hereby affirms the *Decision* of the UCRC that Stephen quit his employment at Wendy's without just cause under R.C. 4141.29(D)(2)(a). However, the Court hereby modifies the *Decision* of the UCRC and finds that Stephen was overpaid unemployment benefits by ODJFS for reasons other than fraudulent misrepresentation under R.C. 4141.35(B).

Finally, the Court hereby modifies the *Decision* of the UCRC and ORDERS that no further penalty weeks or ineligibility period shall be imposed against Stephen with respect to this decision that he was overpaid unemployment benefits for reasons other than fraudulent misrepresentation under R.C. 4141.35(B). Final judgment is hereby granted in favor of Appellee, Ohio Department of Job and Family Services. Costs to Appellant.


JUDGE THOMAS PARKER

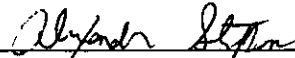


APPROVED BY:



PATRICK MACQUEENEY (0042750)
Assistant Attorney General
Ohio Attorney General's Office
615 West Superior Avenue, 11th Floor
Cleveland, Ohio 44113-1899
(216) 787-3030

Attorney for Appellee, Director, Ohio
Department of Job and Family Services



ALEXANDER R. STEPHEN, *Pro Se*
1638 Manchester Road
Akron, Ohio 44314
(330) 848-4982

Appellant,
Alexander R. Stephen

NOTICE TO THE CLERK OF COURTS

Pursuant to Civ. R. 58(B), the Summit County Clerk of Courts shall serve notice of this *Final Judgment Entry* and its date of entry on the Journal upon all parties and/or counsel of record as follows:

Alexander R. Stephen
1638 Manchester Road
Akron, Ohio 44314
Appellant

Patrick MacQueeney, Esq.
Assistant Attorney General
Ohio Attorney General's Office
615 W. Superior Avenue, 11th Floor
Cleveland, OH 44113-1899
Attorney for Appellee ODJFS

11

11