

**IN THE COURT OF COMMON PLEAS
- GENERAL DIVISION -
TRUMBULL COUNTY, OHIO**

CASE NUMBER: 2012 CV 02142

**DAVID A HODGE
PLAINTIFF**

VS.

JUDGE RONALD J RICE

**STATE OF OHIO
UNEMPLOYMENT
COMPENSATION REVIEW
COMMISSION
DEFENDANT**

JUDGMENT ENTRY

This cause came to be heard on the administrative appeal filed by the Plaintiff/Appellant David A. Hodge. Hodge filed an administrative appeal following a decision by the Ohio Unemployment Compensation Review Commission. This Court has jurisdiction pursuant to R.C. 4141.282. The Court has reviewed the pleadings, briefs, record, exhibits and the relevant applicable law.

R.C. 4141.282 (H) provides: "The court shall hear the appeal on the certified record provided by the commission. If the court finds that the decision of the commission was unlawful, unreasonable, or against the manifest weight of the evidence, it shall reverse, vacate, or modify the decision, or remand the matter to the commission. Otherwise, the court shall affirm the decision of the commission."

On May 18, 2012, ODJFS Office of Unemployment Compensation rendered a Director's Redetermination and found Hodge was discharged by Brilex Tech Services, Inc. on March 22, 2012 without just cause. Brilex appealed this redetermination to the State Unemployment Compensation Review Commission. A telephonic hearing was held on that appeal on June 27, 2012. The Court reviewed the transcript of that telephonic hearing.

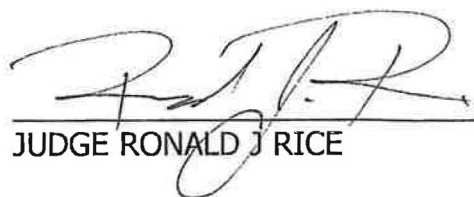
The Court agrees with the decision of the hearing officer. **** [T]here was a direct conflict in the evidence regarding the circumstances under which claimant left his place of employment on March 22, 2012. The Hearing Officer gave greater weight to the employer's version because the record shows that the President of the company attempted to contact the claimant the next day regarding his employment status. *** The evidence shows that the employer was not contacted after March 22, 2012. Therefore, based on the evidence present, claimant was discharged for just cause in connection with work."

The Court cannot find the decision was unlawful, unreasonable, or against the manifest weight of the evidence. Therefore, pursuant to R.C. 4141.282(H), the Court hereby affirms the decision of the State of Ohio Unemployment Review Commission finding David A. Hodge was discharged from his employment with Brilex for just cause.

IT IS SO ORDERED.

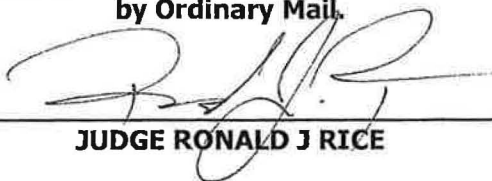
This is a final and appealable order and there is no just cause for delay.

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CLERK OF COURTS
SUMMIT COUNTY
GENERAL COURTS


JUDGE RONALD J RICE

Date: 5-28-13
Copies to:
SUSAN M SHEFFIELD
AMY KEEGAN JESSICA BAUML
MARTIN S HUME

**TO THE CLERK OF COURTS: You Are Ordered to Serve
Copies of this Judgment on all Counsel of Record
or Upon the Parties who are Unrepresented Forthwith
by Ordinary Mail.**


JUDGE RONALD J RICE

6/3/13
COPIES TO
ATTY A. KEEGAN
ATTY M. HUME
ATTY S. SHEFFIELD
ST. UNEMP. COMP