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IN THE COURT OF COMMON PLEAS OF HURON COUNTY, OHIO

FILED
HURON COUNTY
COMMON PLEAS COURT

13 JUL 18 PM 2:57
SUSAN S. HAZEL
CLERK OF COURTS

DANIEL MORALES,

Case No. CVF 20120735

Plaintiff(s),

Judge James W. Conway

vs.

Judgment Entry

HOMAN TRANSPORTATION, et al.,

Defendant(s).

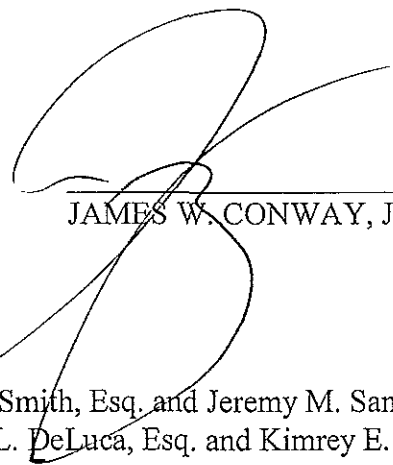
JUDgmentALIZED 07-22-2013
VOL. 652 PG. 1

This matter is before the Court on administrative appeal from the Ohio Unemployment Compensation Review Commission under Ohio Revised Code 4141.282. Upon review of the transcript and the briefs submitted, along with the relevant statutory and case law, the Court finds the Hearing Officer's decision was unreasonable, as the only medical documentation presented was Dr. Maddox's letter indicating that Appellant was able to work. The transcript shows Appellant advised he was able to work but was slowed down by some ailments. The Hearing Officer relied on the Appellant's application for Social Security Benefits to conclude he was not able to work. While a finding of disability through the Social Security Administrations would justify this conclusion, the mere application does not. The Court finds the record is incomplete as to the issue of ability to work, and that the Hearing Officer did not provide an adequate opportunity for Appellant to fully address the issue.

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Therefore it is hereby ORDERED, ADJUDGED and DECREED that this matter is remanded, pursuant to Ohio Revised Code 4141.282(H), to the Ohio Unemployment Compensation Review Commission to re-open the hearing for further evidence on the issue of the ability of Appellant to work, and reconsideration of the determination on benefits after the opportunity for further evidence has been provided.



JAMES W. CONWAY, JUDGE

Copies to: (regular mail)
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postage \$1.78

Direction to the Clerk: Serve upon all parties not in default for failure to appear notice of the judgment and its date of entry upon the journal. Within three days of entering the judgment upon the journal you shall serve the parties in a manner prescribed by Civ. R. 5(B) and note the service in the appearance docket