

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
CIVIL DIVISION

JANET E. NGONGI, :
 :
 Plaintiff-Appellant, : CASE NO. 13CVF -13394
 :
 vs. : JUDGE BROWN
 :
 OHIO STATE UNEMPLOYMENT :
 COMPENSATION REVIEW :
 COMMISSION, :
 :
 Defendant-Appellee. :

Decision and Entry

Rendered this 24th day of February, 2014

This matter is before the Court on the Motion to Dismiss, filed January 24, 2014, by the Director of Ohio Department of Job and Family Services (hereinafter "ODJFS"). Plaintiff-Appellant Janet E. Ngongi (hereinafter "Ngongi") failed to file a response. The issue is now ripe for determination.

STATEMENT OF FACTS

On December 12, 2013, Ngongi filed an appeal of a decision disallowing further review of the denial of her application for unemployment compensation benefits. In the decision, Defendant Ohio State Unemployment Compensation Review Commission (hereinafter "the Commission") listed both ODJFS and Ngongi's employer, Abercrombie & Fitch, Inc. as interested parties. Ngongi named only the Commission as Defendant-Appellee. As a result, ODJFS filed the instant motion, arguing that this Court has no jurisdiction over this appeal.

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LAW AND ANALYSIS

R.C. § 4141.282 provides the requirements for the appeal process from decisions of the Commission. The statute states, in pertinent part:

(D) Interested Parties

The commission shall provide on its final decision the names and addresses of all interested parties. The appellant shall name all interested parties as appellees in the notice of appeal. The director of job and family services is always an interested party and shall be named as an appellee in the notice of appeal.

If any of the requirements of R.C. § 4141.282 are not met, the Court is without jurisdiction to consider an appeal. *In re Claim of King*, 62 Ohio St.2d 87, 88, 403 N.E.2d 200 (1980).

CONCLUSION

Accordingly, the Court lacks jurisdiction to hear the instant matter. ODJFS's Motion to Dismiss filed on January 24, 2014, is hereby **GRANTED**. This matter is **DISMISSED**.

IT IS SO ORDERED.

KIM J. BROWN, JUDGE

Franklin County Court of Common Pleas

Date: 02-24-2014
Case Title: JANET E NGONGI -VS- OHIO STATE UNEMPLOYMENT
COMPENSATION
Case Number: 13CV013394
Type: DISMISSAL ORDER CASE

It Is So Ordered.



/s/ Judge Kim Brown

Court Disposition

Case Number: 13CV013394

Case Style: JANET E NGONGI -VS- OHIO STATE
UNEMPLOYMENT COMPENSATION

Case Terminated: 18 - Other Terminations

Motion Tie Off Information:

1. Motion CMS Document Id: 13CV0133942014-01-2499970000

Document Title: 01-24-2014-MOTION TO DISMISS

Disposition: MOTION GRANTED