

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

PHYLLIS PETERSON,	:	
	:	
Appellant	:	CASE NO. 15CVF-3583
	:	
vs.	:	JUDGE BEATTY
	:	
OHIO UNEMPLOYMENT COMPENSATION	:	
REVIEW COMMISSION,	:	
	:	
Appellee.	:	

**DECISION AND JUDGMENT ENTRY**  
**GRANTING MOTION TO DISMISS**  
**AND**  
**NOTICE OF FINAL APPEALABLE ORDER**

BEATTY, JUDGE

This matter is before the Court on a Motion to Dismiss filed on April 30, 2015. The Motion asserts that this case must be dismissed because Appellant failed to name the Director, Ohio Department of Job and Family Services, (“ODJFS”) as an appellee in the notice of appeal. Appellant responded to the Motion on May 20, 2015, stating that she did fail to name ODJFS as a party to the appeal.

R.C. 4141.282(D) provides that “[t]he director of job and family services is always an interested party and shall be named as an appellee in the notice of appeal.” In *Sydenstricker v. Donato’s Pizzeria*, 11<sup>th</sup> Dist. No. 2009-L-149, 2010-Ohio-2953, ¶22, the Court of Appeals held that the trial court lacked jurisdiction because the appellant in that case failed to name ODJFS as an appellee in the notice of appeal. *See also Dikong v. Ohio Supports, Inc.*, 1<sup>st</sup> Dist No. C-120057, 2013-Ohio-33, *Luton v. Ohio Unemp. Rev. Comm.*, 8<sup>th</sup> Dist. No. 97996, 2012-Ohio-3963, and *Mattice v. Ohio Dept. of Job & Family Servs.*, 2<sup>nd</sup> Dist. No. 25718, 2013-Ohio-3941.

For the foregoing reasons, this case is DISMISSED. This is a final, appealable Order. Costs to Appellant.

Copies to:

Phyllis Peterson  
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Poland OH 44514

David E. Lefton, Counsel for Appellee (by efileing)

Franklin County Court of Common Pleas

**Date:** 05-29-2015  
**Case Title:** PHYLLIS PETERSON -VS- OHIO STATE UNEMPLOYMENT  
COMPENSATION  
**Case Number:** 15CV003583  
**Type:** DECISION/ENTRY

It Is So Ordered.

  
The image shows a handwritten signature in black ink that reads "Laurel Beatty". The signature is written in a cursive style. To the right of the signature is a circular blue seal of the Franklin County Court of Common Pleas. The seal contains the text "COMMON PLEAS COURT" at the top, "FRANKLIN COUNTY, OHIO" around the inner edge, and "ALL THINGS ARE POSSIBLE" at the bottom.

/s/ Judge Laurel A. Beatty

Court Disposition

Case Number: 15CV003583

Case Style: PHYLLIS PETERSON -VS- OHIO STATE  
UNEMPLOYMENT COMPENSATION

Case Terminated: 18 - Other Terminations

Final Appealable Order: Yes

Motion Tie Off Information:

1. Motion CMS Document Id: 15CV0035832015-04-3099980000  
Document Title: 04-30-2015-MOTION TO DISMISS  
Disposition: MOTION GRANTED
2. Motion CMS Document Id: 15CV0035832015-05-2099980000  
Document Title: 05-20-2015-MOTION  
Disposition: MOTION RELEASED TO CLEAR DOCKET