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**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

TABITHA LEMIN
Plaintiff

RELENTLESS RECOVERY ET AL
Defendant

Case No: CV-14-819743

Judge: ROBERT C MCCLELLAND

JOURNAL ENTRY

96 DISP.OTHER - FINAL

THIS CAUSE CAME ON FOR HEARING ON 1/19/2016 ON APPELLE, DIRECTOR, OHIO DEPARTMENT OF JOB AND FAMILY SERVICES' ("ODJFS") MOTION TO DISMISS APPEAL AS UNTIMELY, FILED 4/29/2014. APPELLANT TABITHA LEMIN APPEARED PRO SE, AND APPELLEE ODJFS APPEARED THROUGH COUNSEL. ORAL ARGUMENTS WERE MADE ON BEHALF OF BOTH PARTIES.

AFTER CONSIDERING THE BRIEFS FILED AND THE ORAL ARGUMENTS, THE COURT GRANTS APPELLEE'S MOTION TO DISMISS. APPELLANT FILED HER NOTICE OF APPEAL FROM THE UNEMPLOYMENT COMPENSATION REVIEW COMMISSION ("COMMISSION") ON 1/8/2013. UNEMPLOYMENT APPEALS TO THE COMMON PLEAS COURT ARE GOVERNED BY R.C. 4141.282. UNDER R.C. 4141.282 REQUIRES ANY INTERESTED PARTY TO FILE AN APPEAL OF THE COMMISSION'S DECISION TO THE COMMON PLEAS COURT WITHIN THIRTY DAYS AFTER WRITTEN NOTICE OF THE FINAL DECISION OF THE COMMISSION WAS SENT TO ALL INTERESTED PARTY.

HERE, THE COMMISSION'S DECISION WAS SENT TO ALL PARTIES ON 12/4/2013, PLAINTIFF-APPELLANT ADMITTED THIS FACT AT THE HEARING. THUS, AN APPEAL OF THE DECISION WAS DUE BY 1/3/2014, THIRTY DAYS FROM THE DATE THE DECISION WAS MAILED. HOWEVER, PLAINTIFF-APPELLANT FILED HER NOTICE OF APPEAL ON 1/8/2014. THEREFORE, PLAINTIFF-APPELLANT'S APPEAL IS UNTIMELY AND DEFENDANT-APPELLEE'S MOTION TO DISMISS IS GRANTED.

COURT COST ASSESSED TO THE PLAINTIFF(S).

PURSUANT TO CIV.R. 58(B), THE CLERK OF COURTS IS DIRECTED TO SERVE THIS JUDGMENT IN A MANNER PRESCRIBED BY CIV.R. 5(B). THE CLERK MUST INDICATE ON THE DOCKET THE NAMES AND ADDRESSES OF ALL PARTIES, THE METHOD OF SERVICE, AND THE COSTS ASSOCIATED WITH THIS SERVICE.

Judge Signature

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- 96
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