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

JANEEN ABUHAMDEH
Plaintiff

OHIO DEPARTMENT OF JOB AND FAMILY
SERVICES
Defendant

Case No: CV-16-860953

Judge: STUART A FRIEDMAN

JOURNAL ENTRY

96 DISP.OTHER - FINAL

THIS MATTER IS BEFORE THE COURT ON APPELLANT HAMDA'S APPEAL OF THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES'S (THE "AGENCY") DECISION TO DISENROLL HER MINOR CHILD, _____, FROM THE OHIO HOME CARE WAIVER PROGRAM.

THE COURT HAS CAREFULLY REVIEWED APPELLANT'S BRIEF, APPELLEE'S BRIEF, APPELLANT'S REPLY, AND THE ACCOMPANYING CERTIFIED RECORD. THE COURT FINDS THAT THE AGENCY'S DECISION IS NOT SUPPORTED BY RELIABLE, PROBATIVE AND SUBSTANTIAL EVIDENCE, AND THUS IS NOT IN ACCORDANCE WITH THE LAW. SPECIFICALLY, THE AGENCY'S FAILURE TO CONSIDER THE PHYSICIAN VERIFICATION PROVIDED BY DR. M. KATHLEEN SKOCH SUGGESTS A POTENTIAL VIOLATION OF _____ DUE PROCESS RIGHTS.

THE COURT REVERSES THE AGENCY'S DECISION AND REMANDS THE WITHIN MATTER FOR FURTHER PROCEEDINGS IN WHICH THE AGENCY SHALL CONSIDER THIS OMITTED MEDICAL DOCUMENTATION.

COURT COST ASSESSED TO THE DEFENDANT(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

09/20/2016