

IN THE COURT OF COMMON PLEAS

COUNTY OF SUMMIT

JENNIFER CASTLE)	CASE NO. CV-2017-01-0257
)	
Plaintiff)	JUDGE MARY MARGARET
-vs-)	ROWLANDS
)	
REGIS CORPORATION, et al.)	
)	<u>ORDER</u>
Defendant)	

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A review of the docket reveals Appellant Jennifer Castle (Castle), filed an administrative appeal, styled as a complaint, from the Unemployment Compensation Review Commission’s decision regarding her claim. Castle named her employer, Regis Corporation, and ODJFS at 1180 S. Main St., #102, Akron, OH 44301 as parties to this case. Castle's Notice of Appeal did not name the Director of ODJFS as a party to the case. R.C.

4141.282(D) states, in pertinent part:

* * * 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.

The Court takes judicial notice that Cynthia Dungey is the Director of ODJFS. Strict compliance with R.C. 4141.282 is necessary in order for a party to perfect an appeal from the Unemployment Compensation Review Commission. The Supreme Court has held that an appeal "can be perfected only in the mode prescribed by statute." *Luton v. State of Ohio Unemployment Revision Commission*, 8th Dist No. 97996, 2012-Ohio-3963, 2012 Ohio App. LEXIS 3494, ¶¶6-9, quoting *Zier v. Bur. of Unemp. Comp.*, 151 Ohio St. 123, 84 N.E.2d 746 (1949), paragraph one of the syllabus. "[C]ompliance with the[] specific and mandatory requirements governing the filing of such notice is essential to invoke the jurisdiction of a Court of Common Pleas." *Id.*, quoting *Zier* at paragraph two of the syllabus.

"Subject matter jurisdiction connotes the power to hear and decide a case upon its merits." *Althofv. State*, 4th Dist No. 04CA16, 2006-Ohio-502, 2006 Ohio App. LEXIS 433, ¶7.

Upon review, this case is dismissed for lack of jurisdiction due to Appellant Jennifer Castle's failure to perfect her appeal by naming the Director of ODJFS as a party pursuant to R.C. 4141.282(D).

The Clerk of the Summit County Common Pleas Court shall serve a copy of this Order upon the Pro Se parties, Jennifer Castle, Regis Corporation, and Ohio Department of Jobs and Family Services, by U.S. Mail, Certificate of Service, noting return of same.

IT IS SO ORDERED.



JUDGE MARY MARGARET ROWLANDS