

IN THE COURT OF COMMON PLEAS, PERRY COUNTY, OHIO

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LARRY G. BLACK,	:	
	:	TIMOTHY J WOLLENBERG CLERK OF COURTS
PLAINTIFF,	:	
VS.	:	CASE NO. 12-CV-00075
DIRECTOR, OHIO DEPARTMENT OF JOB AND FAMILY SERVICES,	:	<u>ENTRY</u>
	:	
DEFENDANT.	:	

This matter came before the Court on May 17, 2012 for hearing on the Motion to Dismiss for Lack of Subject-Matter Jurisdiction, which was filed herein April 9, 2012. Present in Court were the Plaintiff, Larry Black and Michelle T. Sutter, Assistant Attorney General for Health and Human Services Section.

The Unemployment Compensation Review Commission disallowed the Plaintiff's Request for Review of the hearing officer's decision. The Decision was mailed on January 25, 2012. Pursuant to the Ohio Revised Code §4141.282, an appeal of the Unemployment Compensation Review Commission's Decision must be filed with the Common Pleas Court within 30 days after the Decision was sent to all parties. The 30 day time period could be extended pursuant to Ohio Revised Code §4141.281(D)(9) if the Court finds that the party did not actually receive the Decision within that 30 day period. The Plaintiff in this case indicated that he did have difficulties with his mail for approximately one and one-half weeks just prior to the decision being mailed to him. However, he did acknowledge that he received the Decision before his 30 day appeal time expired. The Appeal time was up February

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 COMMON PLEAS COURT
 PERRY COUNTY, OHIO
 Timothy J. Wollenberg

24, 2012. This Court, therefore, does not have jurisdiction to hear the Plaintiff's Appeal. The Notice of Appeal from Decision of Unemployment Compensation Review Commission, which was filed herein February 27, 2012, is dismissed.


JUDGE TINA M. BOYER

Copy to: Larry Black
Michelle Sutter