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IN THE COURT OF COMMON PLEAS CUYAHOGA COUNTY, OHIO

ADD-A-NICKEL INC
Plaintiff

MICHAEL B COLBERT, DIRECTOR ET AL
Defendant

Case No: CV-11-772198

Judge: DANIEL GAUL

JOURNAL ENTRY

96 DISP.OTHER - FINAL

THIS MATTER IS AN ADMINISTRATIVE APPEAL TO THE COURT OF COMMON PLEAS FROM THE OHIO UNEMPLOYMENT COMPENSATION REVIEW COMMISSION. THE REVIEW COMMISSION FOUND THAT STEELEY RAPIER ("CLAIMANT") QUIT HIS EMPLOYMENT WITH ADD-A-NICKEL, INC. WITH JUST CAUSE IN CONNECTION WITH WORK. APPELLANT ADD-A-NICKEL, INC. CLAIMS THAT THE FINDING BY THE COMMISSION WAS UNLAWFUL, UNREASONABLE AND AGAINST THE MANIFEST WEIGHT OF EVIDENCE. THE STANDARD OF REVIEW USED BY THE COURT ON AN APPEAL FROM THE UNEMPLOYMENT COMPENSATION REVIEW COMMISSION IS DICTATED BY THE OHIO REVISED CODE, SECTION 4141.282. THE COURT SHALL HEAR THE APPEAL ON THE CERTIFIED RECORD PROVIDED BY THE COMMISSION. IF THE COURT FINDS THAT THE DECISION OF THE COMMISSION WAS UNLAWFUL, UNREASONABLE, OR AGAINST THE MANIFEST WEIGHT OF THE EVIDENCE, IT SHALL REVERSE, VACATE, OR MODIFY THE DECISION, OR REMAND THE MATTER TO THE COMMISSION. OTHERWISE, THE COURT SHALL AFFIRM THE DECISION OF THE COMMISSION. AFTER A REVIEW OF THE RECORD AND THE PARTIES' BRIEFS ON THE ISSUE, THE COURT FINDS THAT COMPETENT, CREDIBLE EVIDENCE EXISTS IN THE RECORD WHICH SUPPORTS THE COMMISSION'S DECISION. SPECIFICALLY, THE COURT EXAMINED THE TRANSCRIPT OF TESTIMONY FROM THE HEARING BEFORE THE COMMISSION AND FOUND MULTIPLE OCCASIONS WHERE CLAIMANT AND OTHER EMPLOYEES OF ADD-A-NICKEL, INC. GAVE TESTIMONY SUGGESTING THAT CLAIMANT QUIT HIS EMPLOYMENT WITH JUST CAUSE. AS SUCH, THIS COURT CANNOT SAY THAT THE COMMISSION'S DECISION WAS UNLAWFUL, UNREASONABLE, OR AGAINST THE MANIFEST WEIGHT OF THE EVIDENCE. AS SUCH, THE COMMISSION'S DECISION IS HEREBY AFFIRMED. FINAL. THERE IS NO JUST CAUSE FOR DELAY.

COURT COST ASSESSED TO THE PLAINTIFF(S).

Judge Signature

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