

FILED

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

2014 AUG 27
MAUREEN G. KELLY
LAKE CO. CLERK OF COURT

| | | |
|---|---|----------------------------|
| WILLIAM B. COOK |) | CASE NO. 14CV000522 |
| |) | |
| Appellant, |) | JUDGMENT ENTRY |
| |) | |
| vs |) | |
| |) | |
| OHIO DEPARTMENT OF JOB AND FAMILY SERVICES, et al. |) | |
| |) | |
| Appellees |) | |

The within matter came on for consideration this date, to wit: August 26, 2014, following a hearing conducted on August 22, 2014, upon Appellee, Director, Ohio Department of Job and Family Services' ("ODJFS") Motion to Dismiss Appeal as Untimely, filed July 16, 2014; Appellant William B. Cook's ("Appellant") Objection to Defendant's Motion to Dismiss, filed July 21, 2014; and Appellee, Director, Ohio Department of Job and Family Services' Reply to Appellant's Response to Motion to Dismiss as Untimely, filed July 25, 2014.

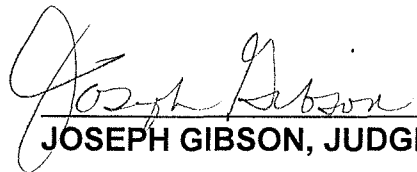
Upon review, the Court finds ODJFS's Motion to Dismiss well taken. R.C. 4141.282(A) states that "[a]ny interested party, within thirty days after written notice of the final decision of the unemployment review commission was sent to all interested parties may appeal the decision of the commission to the court of common pleas." Additionally, R.C. 4141.282(C) establishes that "[t]he timely filing of the notice of appeal shall be the only act required to perfect the appeal and vest jurisdiction in the court." Several appellate courts have concluded that administrative appeals of unemployment compensation claims are properly dismissed when the appellant fails to file the notice of appeal with the common pleas court within the thirty-day time limit set by statute. (Citations omitted.) *Crawford v. United Dairy Farmers, Inc.*, 2nd Dist. No. 25786, 2013-Ohio-5047; *Williams v. LensCrafters, Inc.*, 6th Dist. No. L-10-1154, 2011-Ohio-972.

In the present case, the Unemployment Compensation Review Commission's Decision Disallowing Request for Review was mailed to Appellant on January 15, 2014,

thereby requiring Appellant to file his Notice of Appeal by February 14, 2014 in order to timely perfect his appeal. However, Appellant's Notice of Appeal was not filed until March 4, 2014, eighteen days beyond the filing deadline. Accordingly, the Court finds that Appellant did not file his Notice of Appeal within thirty days as required by R.C. 4141.282, and as a result, this Court is without jurisdiction to consider the appeal.

WHEREFORE, it is the order of this Court that Appellee, Director, Ohio Department of Job and Family Services' Motion to Dismiss Appeal as Untimely is hereby granted. Appellant William B. Cook's administrative appeal is hereby dismissed at Appellant's costs.

IT IS SO ORDERED.



JOSEPH GIBSON, JUDGE

Copies to:
William B. Cook, pro se
Laurence R. Snyder, Asst. Attorney General
Michael Fisher, Asst. Attorney General
Lowe's Home Center

FINAL APPEALABLE ORDER
Clerk to serve pursuant
to Civ.R.58 (B)