

FILED
COURT OF COMMON PLEAS
TUSCARAWAS COUNTY, OHIO

2016 SEP 20 AM 11:45

JEANNE M. SUTHERLAND
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS

TUSCARAWAS COUNTY, OHIO

GENERAL TRIAL DIVISION

TOLLOTI DENTISTRY INC.,

APPELLANT

VS

**STATE OF OHIO UNEMPLOYMENT
COMPENSATION REVIEW
COMMISSION, et al.,**

APPELLEES

: CASE NO. 2016 AA 03 0191

: **JUDGE**
: **EDWARD EMMETT O'FARRELL**

:
: JUDGMENT ENTRY-FURTHER NON-
: ORAL CONSIDERATION CONDUCTED
: ON 9/19/2016 PERTAINING TO 3/23/2016
: NOTICE OF APPEAL FROM THE STATE
: UNEMPLOYMENT COMPENSATION
: REVIEW COMMISSION [DECISION]
: ISSUED 2/24/2016 AFFIRMING HEARING
: OFFICER'S DECISION MAILED 12/8/2015-
: COURT HAS CONSIDERED APPELLANT'S
: 6/27/2016 BRIEF, APPELLEE'S 8/19/2016
: BRIEF AND APPELLANT'S 9/9/2016
: REPLY BRIEF-2/24/2016 DECISION OF
: APPELLEE UNEMPLOYMENT
: COMPENSATION REVIEW COMMISSION
: AFFIRMED-COURT CONCLUDES THAT
: DECISION OF APPELLEE REVIEW
: COMMISSION WAS NOT UNLAWFUL,
: UNREASONABLE, OR AGAINST THE
: MANIFEST WEIGHT OF THE EVIDENCE-
: APPEAL DISMISSED WITH PREJUDICE
: TO REFILE-ORDER TO CLERK TO
: CLOSE CASE FILE AND REMOVE FROM
: PENDING CASE DOCKET-ORDERS
: ENTERED

This matter was further considered by Edward Emmett O'Farrell, Judge, Court of Common Pleas, Tuscarawas County, Ohio, General Trial Division, on 9/19/2016 on a **Non-Oral** basis relative to the following:

- ◆ 3/23/2016 **Notice of Appeal** of Appellant Tolloti Dentistry Inc., from the State of Ohio Unemployment Compensation Review Commission decision issued 2/24/2016 affirming Hearing Officer's Decision mailed 12/8/20105
- ◆ 6/27/2016 **Brief** of Appellant
- ◆ 8/19/2016 **Brief** of Appellee, Director Ohio Department of Job and Family Services
- ◆ 9/9/2016 **Reply Brief** of Appellant

The Court

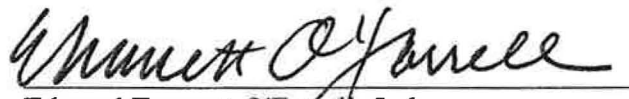
FINDS that after a thorough review and consideration of the legal arguments contained in the 6/27/2016 **Brief** of Appellant, 8/19/2016 **Brief** of Appellee, Director Ohio Department of Job and Family Services, and the 9/9/2016 **Reply Brief** of Appellant, the 2/24/2016 (date of mailing) Decision of Unemployment Compensation Review Commission affirming the 12/8/2015 Decision of Hearing Officer holding that the Statutory Appeal period in this case had expired on 11/12/2015 and that Appellant had failed to file an Appeal prior to the deadline is **not** unlawful, unreasonable, or against the manifest weight of the evidence. Consequently the Decision of the Review Commission must be affirmed.

It is therefore

ORDERED that the 10/21/2015 redetermination Decision is affirmed. The 12/8/2015 Decision of the Hearing Officer issued 12/8/2015 is affirmed as is the 2/24/2016 Decision of the Unemployment Compensation Review Commission which affirmed the 12/8/2015 Hearing Officer Decision.

ORDERED that the 3/23/2016 **Notice of Appeal** filed by Tolloti Dentistry Inc., is **dismissed with prejudice** to refileing.

ORDERED that the Clerk of Courts shall close this case file and remove it from the pending case docket. All Court costs are assessed against the Appellant.


Edward Emmett O'Farrell, Judge
Date: 9/19/2016

copies: Court Administrator's Office
Atty. Lisa M. Brown-Tolloti
Asst. Atty. General Susan M. Sheffield

EEO'F/csd