Supreme Court of Ohio Clerk of Court - Filed October 05, 2015 - Case No. 2015-0770

In the
# Supreme Court of Ohio

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|---|---|---|
| MARCUS PRYOR II, | : | Case Nos. 2015-0767; 2015-0770 |
| | : | |
| Appellee, | : | On Appeal from the |
| | : | Summit County |
| v. | : | Court of Appeals, |
| | : | Ninth Appellate District |
| DIRECTOR, OHIO DEPARTMENT OF | : | |
| JOB AND FAMILY SERVICES, | : | Court of Appeals |
| | : | Case No. 27225 |
| Appellant. | : | |

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**SUPPLEMENT TO MERIT BRIEF OF APPELLANT**
**DIRECTOR, OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

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Mogadore, Ohio 44260
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*Pro Se* Appellee Marcus Pryor II

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Director, Ohio Department of Job and Family Services

Docket No: C2013-012737

State of Ohio
Unemployment Compensation Review Commission
P.O. Box 182299
Columbus, Ohio 43218-2299

# DECISION DISALLOWING REQUEST FOR REVIEW

**In re claim of:**

Marcus H. Pryor II - Appellant
*SSN: XXX-XX-8858

*If the complete SSN is needed to identify the claimant, please call UCRC Staff at 1-866-833-8272. Due to privacy laws, the Commission can confirm, but not provide the full SSN.

**Claimant Representative:**

**Employer:**

Department of Army
UCO No.: 0950801000
Issues: VAL-APP-12

**Employer Representative:**

Director:
Ohio Department of Job and family Services

On July 04, 2013, the appellant filed a request for review.

Date This Decision Mailed: July 24, 2013

**Issues:** (References are to the Revised Code of Ohio, Chapter 4141, unless otherwise noted. Issues pertaining to a specific employer are listed below their names.)

OP

Was the claimant credited with a waiting period, or paid benefits, to which the claimant was not entitled for reasons other than fraudulent misrepresentation?
An individual who within three years of the end of the individual's benefit year or within six months after the determination under which the individual was credited with a waiting period or paid benefits, whichever is later, has been paid benefits, or credited with a waiting week to which the individual was not entitled, shall have the claim canceled. Benefits that are overpaid shall be repaid to the bureau, or withheld from future benefits, unless the overpayment results from a clerical error in a decision, or an error in an employer's report. 4141.35 (B) O.R.C.

VAL-APP-12

Did the claimant file a valid application for determination of benefits rights?

*RCE113204X000000020G*

An individual is entitled to a valid application if the individual is unemployed when they file and has been employed in covered employment in at least 20 qualifying weeks within the base period, has had an average weekly wage of at least $222.00, and for applications filed on or after August 1, 2004, the reason for separation from the individual's most recent employment is not disqualifying under sections 4141.29 (D)(2) or 4141.291 ORC. The base period is the first four of the last five completed calendar quarters prior to filing. 4141.01 (O)(Q)(R) ORC.

The appellant shown above filed a Request for Review to the Review Commission, pursuant to the provisions of Section 4141.281 (C) (3), Revised Code of Ohio, from the Hearing Officer's decision.

Upon consideration thereof, and upon a review of the entire record, the Commission concludes that the Request for Review should be disallowed.

## DECISION

The Request for Review is hereby disallowed.

**Unemployment Compensation Review Commission**

Gregory Gantt, Chairman
Sylvester Patton, Vice-Chairman

## APPEAL RIGHTS

An appeal from this decision may be filed to the Court of Common Pleas of the county where the appellant, if an employee, is resident or was last employed, or of the county where the appellant, if an employer, is resident or has the principal place of business in this state, within thirty (30) days from the date of mailing of this decision, as set forth in Section 4141.282, Revised Code of Ohio. The appellant must name all interested parties as appellees in the notice of appeal, including the Director of the Department of Job and Family Services.

If your appeal is filed more than thirty (30) days from the date of mailing, then you may ask the Court of Common Pleas to determine the timeliness of your appeal. The court may find the appeal to be timely if you did not receive this decision within thirty (30) days after it was mailed to you. For more information refer to the booklet "Workers' Guide to Unemployment Compensation (JFS-55213), available from Ohio Department of Job and Family Services or visit the agency's website at https://unemployment.ohio.gov.

This decision was sent to the following:

Marcus H. Pryor II
32 NORTH AVE
CINCINNATI, OH 45215-2120
Via Email

Department of Army
Attn Army Personnel Records Division
Ahrc-Pdr-Ucx
Fort Knox, KY 40122-5500
Via Email

Department of Army
040664APEN HOME DET FC
FORT STEWART TC, GA 31314
Via Email

Director
Ohio Department of Job Family Services
30 E. Broad Street, 32nd Floor
Columbus, Ohio 43215

*RCE11320 4X00000000030G*

DANIEL M. HORRIGAN,
2013 AUG 23 PM 4:06
SUMMIT COUNTY
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO

| | | |
|---|---|---|
| MARCUS PRYOR II, 4240 Americana Drive Apt 304 Stow, OH 44224<br>Appellant,<br><br>v.<br><br>DIRECTOR, OHIO DEPARTMENT OF JOB AND FAMILY SERVICES, 30 E. Broad St. 32nd Floor Columbus, OH 43215<br>Appellee, | CASE NO. CaseNumber<br>JUDGE JUDGENAME<br><br>**NOTICE OF APPEAL** | 2013-08-408 8<br><br>LYNNE S. CALLAHAN |

Pursuant to Local Rule 19 Appeals to Court of Common Pleas from Administrative Agencies, now comes MARCUS PRYOR II, and hereby gives notice that he is appealing the administrative decision from the OHIO DEPARTMENT OF JOB AND FAMILY SERVICES, UNEMPLOYMENT COMPENSATION REVIEW COMMISSION, C2013-012737 and H-2013-0123737, from the final judgment entered in this action on July 24, 2013.

Respectfully submitted,

Marcus Pryor II

MARCUS PRYOR II, PRO SE,
Appellant
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Stow, OH 44224
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## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Supplement to Merit Brief of Appellant Director, Ohio Department of Job and Family Services was served by regular U.S. mail and e-mail this 5th day of October, 2015, upon the following:

Marcus Pryor II
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mpryorii25@live.com

*Pro Se* Appellee

*/s Eric E. Murphy*
Eric E. Murphy
State Solicitor