

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO  
CIVIL DIVISION

TERMINATION NO: 18  
BY: RF 5/20/11  
**FINAL APPEALABLE ORDER**

MIAMI-JACOBS CAREER COLLEGE :  
Appellant, :  
vs. :  
OHIO BOARD OF NURSING, :  
Appellee. :

Case No. 11CVF-01-1089  
(Judge Frye)

2011 MAY 20 PM 3:47  
CLERK OF COURTS

**FINAL JUDGMENT**

For the reasons stated in the Opinion released this date, the court finds the January 21, 2011 Adjudication Order of the Board of Nursing is not based upon reliable evidence, and is contrary to law. It is **VACATED**. This case is **REMANDED** to the Board for further proceedings.

The Board shall fairly and impartially reconsider this case, and re-vote without considering the vote taken in January 2011 or any inappropriate communication, written or oral, concerning the case (including that offered at the January 20, 2011 meeting.) The Board is obligated to act on the basis of reliable, probative and substantial evidence admitted at the original adjudication hearing (including the summary in the Report and Recommendation of the Hearing Examiner) or such additional evidence as is admitted pursuant to law in a renewed adjudication hearing or before the Board itself. New evidence may only be considered after reasonable advance notice to counsel for both sides; must be given under oath; and must be subject to cross-examination.

Costs are taxed against the Board of Nursing.

**IT IS SO ORDERED.**

**\*\*\*THIS IS A FINAL APPEALABLE ORDER\*\*\***

  
RICHARD A. FRYE, JUDGE

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