

VIRGINIA: IN THE CIRCUIT COURT OF SMYTH COUNTY, ON Thurs
THE 14 DAY OF April; IN THE YEAR OF
OUR LORD, NINETEEN HUNDRED AND eighty-eight

VIRGINIA:

PRESENT: THE HONORABLE CHARLES H. SMITH, JR., JUDGE

SUITABLE WORK -15:
DOMESTIC CIRCUMSTANCES
CHILDREN, CARE OF

IN THE CIRCUIT COURT OF SMYTH COUNTY

DONNA J. SAGE,
Petitioner,

v.

FINAL ORDER

VIRGINIA EMPLOYMENT COMMISSION

and

MOULDINGS, INC.,

Respondents.

This cause came before the Court on the 11th day of February, 1988, upon a Petition For Judicial Review of Decision Number 28574-C of the Virginia Employment Commission ("Commission"), and was argued by counsel for petitioner, and by counsel for respondent, Virginia Employment Commission.

After careful review of the legal Memoranda submitted by counsel for petitioner and after giving careful consideration to the oral arguments presented by counsel for both parties, the Court has related its findings in a letter dated February 29, 1988, a copy of which is attached hereto and incorporated by reference as if fully set out herein.

Accordingly, it is ADJUDGED, ORDERED and DECREED that:

1. The fact-findings of the Commission are supported by the evidence in the record;
2. The work offered to the petitioner was suitable as a matter of law and in this respect the Commission's decision is affirmed;

3. The petitioner had good cause for refusing the work offered to her and in this respect the Commission's decision to disqualify the petitioner for refusing suitable work without just cause is reversed; and,

4. The petitioner is declared to be ineligible for benefits from March 9, 1986 through March 15, 1986 for her failure to be ready and available to work on March 14, 1986.

The Clerk shall forward certified copies of this Final Order to all counsel of record.

All matters before this Court in this case now having been concluded, the Clerk is directed to remove it from the docket of the Court.

Enter this _____ day of _____, 1988.

JUDGE

I ASK FOR THIS:

Larry T. Harley
Larry T. Harley
Southwest Virginia Legal Aid Society
554 South Main Street
Marion, Virginia 24354
Counsel for Petitioner
Donna J. Sage

SEEN AND OBJECTED TO:

Patrice Taylor Johnson
Patrice Taylor Johnson
Assistant Attorney General
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Counsel for Respondent
Virginia Employment Commission

A COPY, TESTED:
JIMMY L. WALKER, CLERK OF THE
CIRCUIT COURT OF THE COUNTY OF
BY: Jimmy L. Walker
DEPUTY CLERK