

R.C. 2743.16. Plaintiff counters that his cause of action did not accrue and the statute of limitations did not begin to run until his discovery, in May 1999, of defendant's receipt of the student loan funds.

{¶6} R.C. 2743.16(A) states:

{¶7} Subject to division (B) of this section, civil actions against the state permitted by sections 2743.01 to 2743.20 of the Revised Code shall be commenced no later than two years after the date of accrual of the cause of action or within any shorter period that is applicable to similar suits between private parties.

{¶8} Plaintiff contends that he was unaware of defendant's receipt of the proceeds from a student loan check issued to him by Citibank in September 1984. However, the evidence clearly shows that the check was issued payable to "Obasuyi, Osagie V c/o Financial Aid Officer Wright State University ***." Moreover, plaintiff endorsed the check and turned it over to an employee in the bursar's office at Wright State University (WSU) in September 1984. However, plaintiff contends that he was unaware of whether the loan process was complete, as he routinely signed documents in the bursar's office. The court finds plaintiff's argument unpersuasive. Plaintiff's cause of action accrued, and the statute of limitations began to run, at the very latest in 1995, when plaintiff contacted WSU and discovered the status of his student account. Plaintiff filed his complaint in this matter on March 21, 2001, which is more than the two-year period allowed under the R.C. 2743.16 statute of limitations.

{¶9} Based upon the evidence and the law, defendant's motion for summary judgment is GRANTED and judgment is rendered in favor of defendant. Court costs are assessed against plaintiff. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

JUDGE

Entry cc:

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Pro se

Case No. 2001-03518

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ENTRY

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