

[Cite as *Smith v. Ohio Dept. of Rehab. & Corr.*, 2003-Ohio-1319.]

IN THE COURT OF CLAIMS OF OHIO

JAMES R. SMITH, JR., #411-462 :
15708 St. Rt. 78 West :
Caldwell, Ohio 43724 : Case No. 2002-10194-AD

Plaintiff : ORDER DISMISSING
v. : PLAINTIFF'S CASE

DEPARTMENT OF REHABILITATION :
AND CORRECTION :

Defendant :
: : : : : : : : : : : : : : : :

For Defendant: Department of Rehabilitation and
Correction
1050 Freeway Drive North
Columbus, Ohio 43229
: : : : : : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{¶2} 1) On November 20, 2002, plaintiff, James R. Smith, Jr., filed a complaint against defendant, Department of Rehabilitation and Correction. Plaintiff did not submit an affidavit of indigency or the filing fee with the complaint;

{¶3} 2) On November 20, 2002, this court issued a notice that the filing fee had not been paid. The notice states, in pertinent part: "Your case may be dismissed unless you pay the required filing fee or file an affidavit of indigency prior to December 11, 2002.";

{¶4} 3) A check of the docket reveals plaintiff has failed to submit the filing fee or an affidavit of indigency.

{¶5} IT IS ORDERED THAT:

{¶6} 1) Plaintiff's case is DISMISSED without prejudice;

{¶7} 2) The court shall absorb the court costs of this case.

DANIEL R. BORCHERT
Deputy Clerk

DRB/laa
2/27
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