

[Cite as *Perotti v. Ohio State Penitentiary*, 2003-Ohio-2165.]

IN THE COURT OF CLAIMS OF OHIO

JOHN W. PEROTTI :
Plaintiff :
v. : CASE NO. 2002-08611-AD
OHIO STATE PENITENTIARY : ENTRY OF DISMISSAL
Defendant :

: : : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{¶2} 1) On September 19, 2002, plaintiff, John W. Perotti, filed a complaint against defendant, Ohio State Penitentiary. Plaintiff submitted the filing fee with his complaint;

{¶3} 2) On October 21, 2002, plaintiff filed an amended complaint. Plaintiff wishes to amend his complaint to include an additional two causes of action;

{¶4} 3) On October 28, 2003, plaintiff filed a motion for partial summary judgment;

{¶5} 4) On November 12, 2002, plaintiff filed a motion for leave to amend and supplement. Plaintiff is refiling all the allegations contained in the motion to amend his complaint filed October 21, 2002. The only difference between this filing and the previous filing is that he has captioned this filing as a “motion for leave to amend.”;

{¶6} 5) On November 26, 2002, defendant filed a motion for extension of time to file the investigation report;

{¶7} 6) On November 26, 2002, defendant filed a motion in opposition to plaintiff’s motion for partial summary judgment;

{¶8} 7) On December 4, 2002, plaintiff filed a motion to stay proceedings. Plaintiff informs the court he has been moved from defendant to Southern Ohio Correctional Facility. He wishes to stay proceedings in this case until February 1, 2003;

{¶9} 8) On December 4, 2002, plaintiff filed a reply to motion in opposition to plaintiff's motion for partial summary judgment;

{¶10} 9) On March 28, 2003, plaintiff filed a voluntary dismissal.

{¶11} IT IS ORDERED THAT:

{¶12} 1) All motions filed by plaintiff and defendant prior to the filing of the voluntary dismissal by plaintiff are MOOT;

{¶13} 2) Plaintiff's case is DISMISSED without prejudice;

{¶14} 3) Court costs are assessed against plaintiff.

DANIEL R. BORCHERT
Deputy Clerk

Order cc:

John W. Perotti, #167-712
P.O. Box 1436
Youngstown, Ohio 44501

Plaintiff, Pro se

James R. Guy, Staff Counsel
Department of Rehabilitation
and Correction
1050 Freeway Drive North
Columbus, Ohio 43229

For Defendant

DRB/laa
4/3
Filed 4/9/03
Sent to S.C. Reporter 4/29/03