

[Cite as *Zanders v. Ohio Dept. of Rehab. & Corr.*, 2003-Ohio-2973.]

IN THE COURT OF CLAIMS OF OHIO

LAWRENCE ZANDERS :
Plaintiff :
v. : CASE NO. 2002-08891-AD
OHIO DEPARTMENT OF : ENTRY OF DISMISSAL
REHABILITATION AND CORRECTION :
Defendant :
: : : : : : : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{12} 1) On September 30, 2002, plaintiff, Lawrence Zanders, filed a complaint against defendant, Department of Rehabilitation and Correction. Plaintiff believes the Rules Infraction Board erred in finding him guilty of a Class II rules violation. Plaintiff asserts there was not sufficient evidence for the Rules Infraction Board to reach a finding of guilty. Plaintiff seeks damages in the amount of \$2,500.00. Plaintiff submitted the filing fee with the complaint;

{¶3} 2) On December 2, 2002, defendant filed a motion to dismiss;

~~{¶4}~~ 3) In support of the motion to dismiss, defendant stated in pertinent part:

{15} "Plaintiff's action should be dismissed for lack of subject matter jurisdiction because an inmate's appeal of a Rules Infraction Board decision does not relate to civil law. In the present case, the Rules Infraction Board decided to suspend disciplinary control confinement for plaintiff and send him to committee for job reclassification. This court has previously held that it has no jurisdiction over decision of the Rules Infraction

