

[Cite as *Smith v. Toledo Correctional Inst.*, 2003-Ohio-5567.]

IN THE COURT OF CLAIMS OF OHIO

DOUGLAS C. SMITH	:	
Plaintiff	:	
v.	:	CASE NO. 2003-07642-AD
TOLEDO CORRECTIONAL INSTITUTION	:	<u>ENTRY OF DISMISSAL</u>
Defendant	:	
	:	

{¶1} On July 29, 2003, plaintiff was ordered to either pay the \$25 filing fee or to file documentation in support of the previously filed poverty statement. On September 10, 2003, defendant filed a motion to dismiss plaintiff's case or, in the alternative, a motion for extension of time. Plaintiff has failed to comply with the court order. Defendant's motion to dismiss is GRANTED and defendant's motion for extension of time is MOOT. Therefore, plaintiff's action is DISMISSED, without prejudice, pursuant to Civ.R. 41(B)(1). The court shall absorb the costs of this case. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Douglas C. Smith, #427-786
2001 East Central Avenue

Plaintiff, Pro se

Case No. 2003-07642-AD

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ENTRY

Toledo, Ohio 43608

Toledo Correctional
Institution
2001 East Central Avenue
Toledo, Ohio 43608

Defendant

DRB/laa
9/9
Filed 10/2/03
Sent to S.C. reporter 10/21/03