

[Cite as *Dixon v. Lorain Correctional Inst.*, 2003-Ohio-6426.]

IN THE COURT OF CLAIMS OF OHIO

RAFEL B. DIXON	:	
Plaintiff	:	
v.	:	CASE NO. 2003-06549-AD
LORAIN CORRECTIONAL INSTITUTION	:	<u>ENTRY OF DISMISSAL</u>
Defendant	:	
	:	

{¶1} On June 24, 2003, this court issued an entry requiring plaintiff to submit either the \$25 filing fee or a completed cashier's statement within 30 days of the date of the entry or face dismissal of his case.

{¶2} On August 15, 2003, this court issued an entry granting plaintiff an additional 30 day extension to comply with the court's entry of June 24, 2003. On September 19, 2003, plaintiff filed a request for a status report. Plaintiff indicates he is ready to proceed with his case since criminal matters have been resolved. However, plaintiff has failed to submit the \$25 filing fee or a cashier's statement.

{¶3} On October 6, 2003, defendant filed a motion to dismiss and in the alternative a motion to extend time. Defendant asserts plaintiff's case should be dismissed based on plaintiff's failure to comply with this court's entry. Plaintiff has not complied with the court's entry of June 24, 2003.

{¶4} Upon review, defendant's motion to extend is MOOT and defendant's motion to dismiss is GRANTED. Plaintiff's motion is DENIED. Plaintiff's case is DISMISSED without prejudice. The court shall absorb the costs of this case. The clerk shall serve upon all parties notice of this dismissal and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

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Akron Summit County Jail
205 E. Crosier Street
Akron, Ohio 44311

Plaintiff, Pro se

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For Defendant

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10/17
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