

[Cite as *Birdsell v. Toledo Correctional Inst.*, 2003-Ohio-6594.]

IN THE COURT OF CLAIMS OF OHIO

ANTHONY K. BIRDSELL	:	
Plaintiff	:	
v.	:	CASE NO. 2003-06883-AD
TOLEDO CORRECTIONAL INST.	:	<u>ENTRY OF DISMISSAL</u>
Defendant	:	
.....	:	

{¶1} On September 10, 2003, plaintiff was ordered to pay the \$25 filing fee. Plaintiff has failed to comply with the court order. On October 20, 2003, defendant filed a motion to dismiss due to plaintiff’s failure to pay the filing fee and a motion to extend time. Upon review, defendant’s motion to dismiss is GRANTED and 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:

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Plaintiff, Pro se

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