

[Cite as *Nelson v. Lorain Correctional Inst.*, 2004-Ohio-1341.]

IN THE COURT OF CLAIMS OF OHIO

CAREY EMILE NELSON	:	
Plaintiff	:	
v.	:	CASE NO. 2003-10023-AD
LORAIN CORRECTIONAL INSTITUTION	:	<u>ENTRY OF DISMISSAL</u>
Defendant	:	
	:	

{¶1} On January 16, 2004, plaintiff was ordered to either pay the \$25 filing fee or to file documentation in support of the previously filed poverty statement. On January 16, 2004, this court issued an entry requiring plaintiff to submit the filing fee and holding defendant's motion to dismiss in abeyance. On February 6, 2004, plaintiff again submitted an affidavit of indigency. Plaintiff has failed to comply with the court order. Defendant's motion to dismiss is GRANTED. 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:

Carey Emile Nelson, #434-312
P.O. Box 209
Orient, Ohio 43146

Plaintiff, Pro se

Case No. 2003-10023-AD

- 2 -

ENTRY

Vincent E. Lagana, Staff Counsel
Department of Rehabilitation
and Correction
1050 Freeway Drive North
Columbus, Ohio 43229

For Defendant

DRB/laa
2/23
Filed 3/3/04
Sent to S.C. reporter 3/19/04