

[Cite as *Platt v. Trumbull Correctional Inst.*, 2004-Ohio-2099.]

IN THE COURT OF CLAIMS OF OHIO

JOSEPH PLATT :
Plaintiff :
v. : CASE NO. 2004-01885-AD
TRUMBULL CORRECTIONAL : ENTRY OF VOLUNTARY
INSTITUTION : DISMISSAL
Defendant :
:.....

{¶1} On February 2, 2004, plaintiff filed a complaint against defendant, Trumbull Correctional Institution. Plaintiff asserts defendant’s agents lost a clothes box he had ordered from an outside vendor. Plaintiff seeks damages in the amount of \$58.67, plus reimbursement of the \$25 filing fee he submitted with the complaint.

{¶2} On March 29, 2004, plaintiff submitted a letter requesting that his claim be dismissed since it has been resolved. Plaintiff also requests the return of his \$25 filing fee.

{¶3} Plaintiff’s letter is considered a motion for voluntary dismissal and is GRANTED. Plaintiff’s case is DISMISSED without prejudice. Plaintiff’s request for the return of his filing fee is DENIED. A filing fee may only be reimbursed as compensable damage when a judgment is rendered against defendant. *Bailey v. Ohio Dept. of Rehab. & Corr.* (1990), 62 Ohio Misc. 2d 19.

DANIEL R. BORCHERT
Deputy Clerk

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Entry cc:

Joseph Platt, #343-714
5701 Burnet Road
P.O. Box 901
Leavittsburg, Ohio 44430

Plaintiff, Pro se

Trumbull Correctional
Institution
5701 Burnet Road
P.O. Box 901
Leavittsburg, Ohio 44430

Defendant

DRB/laa
3/31
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