

IN THE COURT OF CLAIMS OF OHIO

MARY LOU T. FERRIS :
Plaintiff :
v. : CASE NO. 2003-08479-AD
STATE OF OHIO-ODOT : ENTRY OF VOLUNTARY
Defendant : DISMISSAL

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{¶1} On July 30, 2003, plaintiff filed a complaint against defendant, Department of Transportation. However, plaintiff did not provide an address so that the complaint could be served. Plaintiff submitted the filing fee with the complaint.

{¶2} On July 30, 2003, this court issued a return of complaint form/direction to complete form notice. The notice stated in pertinent part: "Your complaint will not be processed until you properly complete the enclosed complaint. The completed complaint must be filed in this court before August 27, 2003. If the completed complaint is not returned to this office before the above date, your complaint will be dismissed."

{¶3} On August 11, 2003, plaintiff submitted a letter requesting that her claim be "canceled" and her filing fee be returned.

{¶4} Plaintiff's letter is considered a motion for voluntary dismissal and is GRANTED. Plaintiff's case is DISMISSED without prejudice. Plaintiff's request for a return of her filing fee is DENIED. A filing fee may only be reimbursed as compensable damage

when a judgment is rendered against the defendant. *Bailey v. Ohio Dept. of Rehab. & Corr.* (1990), 62 Ohio Misc. 2d 19.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Mary Lou T. Ferris
6954 W. Fitzwater Road
Brecksville, Ohio 44141

Plaintiff, Pro se

DRB/laa
3/31
Filed 4/2/04
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