

[Cite as *Kinney v. Ohio Dept. of Transp.*, 2004-Ohio-5454.]

IN THE COURT OF CLAIMS OF OHIO

|  |   |                       |
|--|---|-----------------------|
| EDWARD J. KINNEY                             | : |                       |
| Plaintiff                                    | : | CASE NO. 2001-12061   |
|  |   | Judge Joseph T. Clark |
| v.   | : | Magistrate Lee Hogan  |
| OHIO DEPARTMENT OF<br>TRANSPORTATION, et al. | : | <u>JUDGMENT ENTRY</u> |
| Defendants                                   | : |                       |
| ::::::::::::                                 | : |                       |

{¶ 1} This case was tried to a magistrate of the court. On August 31, 2004, the magistrate issued a decision recommending judgment for plaintiff in the amount of \$1,306.63.

{¶ 2} Civ.R. 53(E)(3)(a) states: “A party may file written objections to a magistrate’s decision within fourteen days of the filing of the decision, regardless of whether the court has adopted the decision pursuant to Civ.R. 53(E)(4)(c). \*\*\*” No objections were filed in this matter.

{¶ 3} Upon review of the record and the magistrate’s decision, the court determines that there is no error of law or other defect on the face of the magistrate’s decision. Therefore, the court adopts the magistrate’s decision and recommendation as its own, including the findings of fact and conclusions of law contained therein.

{¶ 4} Judgment is rendered for plaintiff in the amount of \$1,306.63 which includes the filing fee paid by plaintiff. Court costs are assessed against defendants. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

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JOSEPH T. CLARK  
Judge

Entry cc:

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To S.C. reporter October 12, 2004