

[Cite as *Watley v. Ohio Dept. of Rehab. and Corr.*, 2004-Ohio-5919.]

IN THE COURT OF CLAIMS OF OHIO

RAYSHAN WATLEY	:	
Plaintiff	:	CASE NO. 2003-11631
		Judge Joseph T. Clark
v.	:	Magistrate Steven A. Larson
DEPARTMENT OF REHABILITATION AND CORRECTION	:	<u>JUDGMENT ENTRY</u>
Defendant	:	
:	:	
:	:	
:	:	
:	:	
:	:	
:	:	

{¶ 1} On August 26, 2004, this case came before a magistrate of the court for trial. Prior to the commencement of the proceedings, plaintiff orally moved the court to dismiss his case. Defendant did not object to the motion. On September 10, 2004, the magistrate issued a decision recommending this case be dismissed, without prejudice, pursuant to Civ.R. 41(A)(2).

{¶ 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). \*\*\*” Plaintiff has not filed an objection.

{¶ 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. Plaintiff’s oral motion is GRANTED. Accordingly, plaintiff’s case is DISMISSED, without prejudice, pursuant to Civ.R. 41(A)(2). Court costs are assessed against plaintiff. 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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Plaintiff, Pro se

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LM/cmd

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