

[Cite as *Turner v. Mansfield Correctional Inst.*, 2004-Ohio-7083.]

IN THE COURT OF CLAIMS OF OHIO

ROBERT L. TURNER :
Plaintiff :
v. : CASE NO. 2004-05252-AD
MANSFIELD CORRECTIONAL : ENTRY OF DISMISSAL
INSTITUTION :
Defendant :
:.....

{¶1} On August 24, 2004, this court issued an entry requiring plaintiff to submit the filing fee within 30 days. If plaintiff did not comply with the court's entry defendant's motion to dismiss, which is being held in abeyance, would be granted.

{¶2} On September 13, 2004, plaintiff filed a notice of appeal of entry, however, plaintiff did not submit the filing fee. Accordingly, defendant's motion to dismiss is GRANTED and plaintiff's case is DISMISSED without prejudice. Pursuant to C.C.R.6(H)(1), a motion for court review that is filed before a final determination is rendered shall be treated as filed after such entry and on the date of the entry. Accordingly, plaintiff's notice of appeal is forwarded to a judge of the Court of Claims for review. Court costs are absorbed by the court. The clerk shall serve upon all parties notice of the entry of dismissal and its date of entry upon the journal.

DANIEL R. BORCHERT

Deputy Clerk

Entry cc:

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Plaintiff, Pro se

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For Defendant

DRB/laa
10/14
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