

[Cite as *Young v. Univ. of Akron*, 2004-Ohio-884.]

IN THE COURT OF CLAIMS OF OHIO

TAMMY YOUNG, Admx.	:	
Plaintiff	:	CASE NO. 2003-05984
	:	Judge Fred J. Shoemaker
v.	:	
	:	<u>JUDGMENT ENTRY</u>
THE UNIVERSITY OF AKRON	:	
Defendant	:	
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{¶1} This case was tried to a magistrate of the court. On December 19, 2003, the magistrate issued a decision recommending that the court issue a judgment that Guy Marrelli is entitled to civil immunity pursuant to R.C. 9.86 and 2743.02(F) and that the courts of common pleas do not have jurisdiction over civil actions against him based upon the allegations in this case.

{¶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). ***" The parties have timely filed objections.

{¶3} Upon review of the record, the magistrate's decision, and the objections, the court finds that the magistrate correctly analyzed the issues and applied the law to the facts. Therefore, the objections are OVERRULED and the court adopts the magistrate's decision and recommendation as its own, including the findings of fact and conclusions of law contained therein. It is the judgment of this court that Guy Marrelli is entitled to civil immunity

pursuant to R.C. 9.86 and 2743.02(F) and that the courts of common pleas do not have jurisdiction over civil actions against him based upon the allegations in this case. Pursuant to Civ.R. 54(B), this court makes the express determination that there is no just reason for delay. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

FRED J. SHOEMAKER
Judge

Entry cc:

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Filed February 24, 2004
To S.C. reporter February 27, 2004