[Cite as *Ausbrooks v. Ohio Dept. of Transp.*, 2005-Ohio-1072.]

IN THE COURT OF CLAIMS OF OHIO

KYLE D. AUSBROOKS	:	
Plaintiff	:	
v.	:	CASE NO. 2004-09916-AD
OHIO DEPT. OF TRANSPORTATION	:	ENTRY OF DISMISSAL
Defendant	:	

: : : : : : : : : : : : : : : : :

{¶ 1} On November 30, 2004, the court sent plaintiff a letter notifying him his check #122 in the amount of $25 submitted as payment for the filing fee was returned to the court unpaid due to insufficient funds on November 18, 2004. Plaintiff was given an additional 30 days to resubmit the filing fee or face dismissal of his case. Plaintiff has failed to resubmit the filing fee. Therefore, plaintiff's action is DISMISSED, without prejudice, pursuant to Civ.R. 41(B)(1). The court shall absorb the costs of this case. The clerk shall serve upon all parties notice of this entry of dismissal and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Kyle D. Ausbrooks
13040 Duncan Plains Road
Johnstown, Ohio 43031

Plaintiff, Pro se

Gordon Proctor, Director
Department of Transportation
1980 West Broad Street

For Defendant

DRB/laa
2/7
Filed 2/11/05
Sent to S.C. reporter 3/11/05