

[Cite as *Szczesny v. Ohio Dept. of Transp.*, 2005-Ohio-3212.]

IN THE COURT OF CLAIMS OF OHIO

JEANINE C. SZCZESNY	:	
Plaintiff	:	
v.	:	CASE NO. 2005-01323-AD
OHIO DEPARTMENT OF	:	<u>ENTRY OF DISMISSAL</u>
TRANSPORTATION, DISTRICT 4	:	
Defendant	:	

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{¶ 1} On April 7, 2005, defendant filed a motion to dismiss, stating this claim was settled by the insurance company of defendant's contractor, The Velotta Company. Defendant provided a copy of an e-mail from Robert Beckett of the Cincinnati Insurance Company stating plaintiff's claim had been resolved. Plaintiff has not responded to defendant's motion to dismiss. R.C. 2743.02(D) in pertinent part states: "Recoveries against the state shall be reduced by the aggregate of insurance proceeds, disability award, or other collateral recovery received by the claimant." Upon review, the court finds that the money received by plaintiff is a recovery from a collateral source. Accordingly, defendant's motion to dismiss is GRANTED and plaintiff's case is DISMISSED. The court shall absorb the court costs of this claim in excess of the filing fee. The clerk shall serve upon all parties notice of this entry of dismissal and its date of entry upon the journal.

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DANIEL R. BORCHERT  
Deputy Clerk

Entry cc:

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Plaintiff, Pro se

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DRB/laa  
5/24  
Filed 6/1/05  
Sent to S.C. reporter 6/24/05