

[Cite as *Moreno v. Ohio Dept. of Rehab. & Corr.*, 2005-Ohio-5594.]

IN THE COURT OF CLAIMS OF OHIO
www.cco.state.oh.us

VICTOR MORENO :
:

Plaintiff : CASE NO. 2004-07379
Judge J. Craig Wright
v. : Magistrate Steven A. Larson

OHIO DEPARTMENT OF : JUDGMENT ENTRY
REHABILITATION AND CORRECTION :
:
Defendant

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

{¶ 1} On July 11, 2005, defendant filed a motion to dismiss plaintiff's case pursuant to Civ.R. 41(B)(1) for failure to prosecute. The magistrate issued a decision on August 2, 2005, recommending the motion be granted and plaintiff's case be dismissed.

{¶ 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). ***" No objection has been filed.

{¶ 3} Upon review, 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, including the findings of fact and conclusions of law contained therein. Defendant's July 11, 2005, motion to dismiss is hereby GRANTED and plaintiff's case is DISMISSED. Court costs are assessed against plaintiff. The clerk

