## IN THE COURT OF CLAIMS OF OHIO

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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

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

- $\{\P 1\}$  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.
- $\{\P 2\}$  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

shall serve upon all parties notice of this judgment and its date of entry upon the journal.

J. CRAIG WRIGHT Judge

Entry cc:

Victor Moreno Plaintiff, Pro se c/o Parole Officer Brian Hillfinger Adult Parole Authority 7710 Reading Road, Suite 210 Cincinnati, Ohio 45237

Douglas R. Folkert Assistant Attorney General 150 East Gay Street, 23rd Floor Columbus, Ohio 43215-3130

LP/MR/cmd Filed September 26, 2005 To S.C. reporter October 20, 2005 Attorney for Defendant