

[Cite as *Norris v. Richland Correctional Inst.*, 2005-Ohio-7019.]

IN THE COURT OF CLAIMS OF OHIO

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ROBERT LEE NORRIS :
Plaintiff : CASE NO. 2004-07107
v. : Judge J. Craig Wright
Magistrate Steven A. Larson
RICHLAND CORRECTIONAL : JUDGMENT ENTRY
INSTITUTION :
Defendant :
: :

{¶ 1} This case was tried to a magistrate of the court. On September 30, 2005, the magistrate recommended judgment for defendant. Plaintiff's October 11, 2005, motion for an extension of time to file objections was granted and plaintiff was ORDERED to file objections on or before *October 28, 2005*.

{¶ 2} Civ.R. 53 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)." On November 2, 2005, after the time specified for filing objections had elapsed, plaintiff filed yet another motion for an extension of time to file objections to the magistrate's decision. Plaintiff, however, has not established that his failure to timely file objections was the result of excusable neglect as required by L.C.C.R. 4(B) and Civ.R. 6(B). Accordingly, the motion for an extension of time is DENIED. Plaintiff's October 27, 2005, motion for the preparation of a transcript is DENIED as moot.

{¶ 3} Upon review of the record and the magistrate's decision, 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. Judgment is rendered in favor of defendant. 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:

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