



3) knowledge that the privilege initially justifying the confinement no longer exists. *Corder v. Ohio Dept. of Rehab. and Corr.* (1994), 94 Ohio App.3d 315, 318; *Bennett v. Ohio Dept. of Rehab. and Corr.* (1991), 60 Ohio St.3d 107. In *Bennett*, the Supreme Court of Ohio stated that "an action for false imprisonment cannot be maintained where the wrong complained of is imprisonment in accordance with the judgment or order of a court, unless it appear that such judgment or order is void."

{¶ 5} Upon review, the court finds that plaintiff failed to prove by a preponderance of the evidence that he was falsely imprisoned. Plaintiff was imprisoned pursuant to a valid journal entry issued by the Summit County Court of Common Pleas. In addition, there are no defects or irregularities on the face of the sentencing entry. Pursuant to *Bennett*, supra, defendant cannot be held liable to plaintiff for false imprisonment for plaintiff's confinement pursuant to a valid court order. Defendant released plaintiff when it received a valid order for such release.

{¶ 6} For the foregoing reasons, 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.

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J. CRAIG WRIGHT  
Judge

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