

Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

RAYSHAN WATLEY

Plaintiff

v.

DEPARTMENT OF REHABILITATION
AND CORRECTION

Defendant

Case No. 2003-06123

Judge J. Craig Wright

Magistrate Steven A. Larson

JUDGMENT ENTRY

{¶1} This case was tried to a magistrate of the court. On September 18, 2006, the magistrate issued a decision recommending judgment in favor of defendant. The magistrate also recommended that the court issue a determination that Lieutenant (Lt.) Wayne Fout and Corrections Officer (CO) Powell are entitled to civil immunity pursuant to R.C. 9.86 and 2743.02(F) and that the courts of common pleas do not have jurisdiction over any civil actions that may be filed against Lt. Fout and CO Powell based upon the allegations in this case.

{¶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 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. Additionally, the court determines that Lt. Fout and CO Powell are entitled to civil immunity pursuant to R.C. 9.86 and 2743.02(F) and that the courts of common pleas do not have jurisdiction over any civil actions that may be filed against Lt. Fout and CO Powell based upon the allegations in this case. Court costs are

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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

cc:

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LP/cmd		

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