

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

WILLIAM RIVERA

Plaintiff

v.

CORRECTIONAL RECEPTION
CENTER

Defendant

Case No. 2006-05179-AD

Deputy Clerk Daniel R. Borchert

ENTRY OF DISMISSAL

{¶1} On October 13, 2006, defendant filed a motion for extension of time to file the investigation report. On November 3, 2006, defendant filed a motion to dismiss, stating plaintiff signed a full and final release of the claim against defendant in consideration for \$30.00. Plaintiff did not respond to defendant's motion to dismiss. The release in pertinent part states:

{¶2} "The undersigned inmate does hereby release, hold harmless from any liability and forever discharge the State of Ohio and the Department of Rehabilitation and Correction, their offices, employees, and agents, personally or in any capacity, from any and all claims, actions, causes of action, demands, costs, expenses, and any and all other damages, which the undersigned inmate ever had, now has, or in the future may have, or claim to have, against the State of Ohio or the Department of Rehabilitation and Correction, their officers, employees, and agents for loss of or damage to property arising out of the following incident: Inmate Rivera was transferred to CRC 5-12-05 with his property. A pack containing a new Cleartunes am/fm cassette player was transported with him. The cassette player cannot be located . . . Cleartunes am/fm cassette player - \$30.00."

{¶3} Upon review, the signing of the release by plaintiff constitutes the voluntary dismissal of his case against defendant. Accordingly, defendant's motion to dismiss is GRANTED and plaintiff's case is DISMISSED. Defendant's motion for extension of time is MOOT. The court shall absorb the court costs for this claim. The clerk shall serve upon all parties notice of the entry of dismissal and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

William Rivera, #312-163
P.O. Box 788
Mansfield, Ohio 44901

Vincent E. Lagana, Staff Counsel
Department of Rehabilitation

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and Correction
1050 Freeway Drive North
Columbus, Ohio 43229

DRB/laa
12/15
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