

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

NATHAN E. BOLING

Plaintiff

v.

DEPARTMENT OF REHABILITATION
AND CORRECTION

Defendant

Case No. 2005-09901

Judge Joseph T. Clark
Magistrate Steven A. Larson

JUDGMENT ENTRY

{¶1} On March 5, 2007, the magistrate issued a decision recommending judgment in favor of defendant. The magistrate also recommended that the court issue a determination that Jean Wardell, William DeFeo, and Wendell Sowards 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 Jean Wardell, William DeFeo, and Wendell Sowards based upon the allegations in this case.

{¶2} Civ.R. 53(D)(3)(b)(i) states: “A party may file written objections to a magistrate’s decision within fourteen days of the filing of the decision, whether or not the court has adopted the decision during that fourteen-day period as permitted by Civ.R. 53(D)(4)(e)(i). ****” No objections were 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 evident 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. In addition, the court determines that Jean Wardell, William DeFeo, and Wendell Sowards 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 them based upon the allegations in this case. 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.

JOSEPH T. CLARK
Judge

cc:

Velda K. Hofacker Carr Assistant Attorney General 150 East Gay Street, 23rd Floor Columbus, Ohio 43215-3130	Nathan E. Boling, #308-560 Pickaway Correctional Institution B2 - 23L, P.O. Box 209 Orient, Ohio 43146
LP/cmd	

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