

# 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

SHANNON ANNE MARTIN

Plaintiff

v.

Case No. 2008-09252-AD

Deputy Clerk Daniel R. Borchert

ENTRY OF DISMISSAL

OHIO DEPARTMENT OF  
TRANSPORTATION, DISTRICT 12

Defendant

{¶ 1} On December 5, 2008, defendant filed a motion to dismiss, stating this claim was paid by Right-A-Way Contracting. Check No. 4455, in the amount of \$494.49, was sent to plaintiff as a full and final release of the claim against defendant. Plaintiff has not responded to defendant's motion to dismiss. R.C. 2743.02(D) in pertinent part states: "Recoveries against the state shall be reduced by the aggregate of insurance proceeds, disability award, or other collateral recovery received by the claimant." Upon review, the court finds that the money received by plaintiff is a recovery from a collateral source. Accordingly, defendant's motion is GRANTED and plaintiff's case is DISMISSED. The court shall absorb the court costs for this claim in excess of the filing fee.

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DANIEL R. BORCHERT  
Deputy Clerk

cc:

Shannon Anne Martin  
37405 Grove Avenue

Thomas P. Pannett  
Department of Transportation

Case No.2008-09252-AD

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ENTRY

Apt. #204  
Willoughby, Ohio 44094

1980 West Broad Street  
Columbus, Ohio 43223

DRB/laa  
Filed 1/9/09  
Sent to S.C. reporter 3/31/09