

# Court of Claims of Ohio

The Ohio Judicial Center  
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RODERICK GARRETT

Plaintiff

v.

OHIO DEPARTMENT OF REHABILITATION AND CORRECTION

Defendant

Case No. 2009-04858

Judge Joseph T. Clark  
Magistrate Matthew C. Rambo

## JUDGMENT ENTRY

{¶ 1} On February 3, 2010, the magistrate issued a decision recommending that the court issue a determination that Henry Berlin is not entitled to civil immunity pursuant to R.C. 9.86 and 2743.02(F) and that the courts of common pleas have jurisdiction over any civil actions that may be filed against him based upon the allegations in this case.

{¶ 2} Civ.R. 53(D)(3)(b)(i) states, in part: “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. The court determines that Henry Berlin is not entitled to civil

immunity pursuant to R.C. 9.86 and 2743.02(F) and that the courts of common pleas have jurisdiction over any civil actions that may be filed against him based upon the allegations in this case.

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JOSEPH T. CLARK  
Judge

cc:

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MR/cmd  
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