

# 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

CHARLES MCCOY

Plaintiff

v.

UNKNOWN

Defendant

Case No. 2010-03142-AD

Deputy Clerk Daniel R. Borchert

## ENTRY OF DISMISSAL

{¶ 1} On February 22, 2010, plaintiff, Charles McCoy, filed a complaint against defendants, April D. Martin, Cale Saric, and the Heath Police Department. On February 23, 2010, this court issued an entry dismissing these parties since they were not state entities and accordingly, could not be sued in the Court of Claims. On April 30, 2010, plaintiff filed an amended complaint naming the Heath City Police Department as defendant. On May 14, 2010, this court issued an entry of dismissal since the Heath City Police Department is not a state entity. On May 19, 2010, plaintiff filed a motion to reopen his claim. On September 8, 2010, this court issued an entry requiring plaintiff to file an amended form complaint asserting the reasons he believes the Attorney General is responsible for the actions of the City of Heath Police Department and why their actions resulted in damage to plaintiff. Plaintiff also needed to submit either the filing fee or a poverty statement.

{¶ 2} On September 22, 2010, plaintiff filed an amended complaint. Plaintiff asserts the Attorney General's Division of Certification and Standards Division is responsible for the actions of the city police officers involved. The Certification and

Standards Division ensures that all police training certification programs meet the applicable minimum standards established by the Ohio Revised Code and Ohio Administrative Code. Nothing in the statute or the Administrative Code provides a duty upon the Attorney General to insure the proper conduct of the officers throughout the state that receive this training. Plaintiff has cited no statute, rule, or case law which supports this proposition. Accordingly, plaintiff's case is DISMISSED. The court shall absorb the court costs in this case.

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DANIEL R. BORCHERT  
Deputy Clerk

Entry cc:

Charles McCoy, #488-128  
P.O. Box 7010  
Chillicothe, Ohio 45601

DRB/laa  
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