

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
LUCAS COUNTY

Glenda J. Morrin

Court of Appeals No. L-07-1173

Appellee

Trial Court No. CI06-4793

v.

DaimlerChrysler Corporation

Appellant

and

William E. Mabe, Administrator,
Bureau of Workers' Compensation

DECISION AND JUDGMENT ENTRY

Defendant

Decided: December 21, 2007

* * * * *

Robert D. Strauss and Michael A. Vanderhorst, for appellee.

Thomas J. Gibney and Sarah E. Pawlicki, for appellant.

* * * * *

HANDWORK, J.

{¶ 1} This case is before the court on the accelerated appeal filed by appellant, DaimlerChrysler Corporation, from the judgment of the Lucas County Court of Common Pleas which denied appellant's motion to strike the notice of voluntary dismissal filed by appellee, Glenda J. Morrin. On appeal, appellant raises the following sole assignment of error:

{¶ 2} "The Trial Court erred in denying DaimlerChrysler's Motion to Strike Plaintiff/Appellee Glenda Morrin's Notice of Dismissal in violation of R.C. 4123.512."

{¶ 3} Based on the rationale and authority of *Rohloff v. FedEx Ground*, 6th Dist. No. L-07-1182, 2007-Ohio-6530, we affirm the decision of the trial court. Appellant's sole assignment of error is therefore found not well-taken.

{¶ 4} On consideration whereof, the court finds substantial justice has been done the party complaining and the judgment of the Lucas County Court of Common Pleas is affirmed. Appellant is ordered to pay the costs of this appeal pursuant to App.R. 24. Judgment for the clerk's expense incurred in preparation of the record, fees allowed by law, and the fee for filing the appeal is awarded to Lucas County.

JUDGMENT AFFIRMED.

A certified copy of this entry shall constitute the mandate pursuant to App.R. 27. See, also, 6th Dist.Loc.App.R. 4.

Peter M. Handwork, J.

JUDGE

Mark L. Pietrykowski, P.J.

JUDGE

Thomas J. Osowik, J.
CONCUR.

JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at:
<http://www.sconet.state.oh.us/rod/newpdf/?source=6>.