[Cite as *Moreno v. Ohio Dept. of Rehab. & Corr.*, 2005-Ohio-5594.]

IN THE COURT OF CLAIMS OF OHIO
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VICTOR MORENO	:	
Plaintiff	:	CASE NO. 2004-07379 Judge J. Craig Wright
v.	:	Magistrate Steven A. Larson
OHIO DEPARTMENT OF REHABILITATION AND CORRECTION	:	JUDGMENT ENTRY
	:	
Defendant		

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{¶ 1} On July 11, 2005, defendant filed a motion to dismiss plaintiff's case pursuant to Civ.R. 41(B)(1) for failure to prosecute. The magistrate issued a decision on August 2, 2005, recommending the motion be granted and plaintiff's case be dismissed.

{¶ 2} Civ.R. 53(E)(3)(a) states: "A party may file written objections to a magistrate's decision within fourteen days of the filing of the decision, regardless of whether the court has adopted the decision pursuant to Civ.R. 53(E)(4)(c). ***" No objection has been filed.

{¶ 3} Upon review, the court determines that there is no error of law or other defect 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. Defendant's July 11, 2005, motion to dismiss is hereby GRANTED and plaintiff's case is DISMISSED. 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.

_____
J. CRAIG WRIGHT
Judge

Entry cc:

Victor Moreno Plaintiff, Pro se
c/o Parole Officer Brian Hillfinger
Adult Parole Authority
7710 Reading Road, Suite 210
Cincinnati, Ohio 45237

Douglas R. Folkert Attorney for Defendant
Assistant Attorney General
150 East Gay Street, 23rd Floor
Columbus, Ohio 43215-3130

LP/MR/cmd
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