## [Cite as Noori v. Ohio Dept. of Transp., 2005-Ohio-4227.]

## IN THE COURT OF CLAIMS OF OHIO

| AFSHIN NOORI                 | : |                        |
|------------------------------|---|------------------------|
| Plaintiff                    | : |                        |
| v.                           | : | CASE NO. 2005-07097-AD |
| OHIO DEPT. OF TRANSPORTATION | : | ENTRY OF DISMISSAL     |
| Defendant                    | : |                        |

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{¶1} On July 5, 2005, defendant filed a motion to dismiss, stating this claim was paid by John R. Jurgensen Company. On June 30, 2005, check no. 00304459 in the amount of \$698.42, 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.

> DANIEL R. BORCHERT Deputy Clerk

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Afshin Noori Plaintiff, Pro se 6449 Winter Hazel Drive Liberty Twp., Ohio 45044 Thomas P. Pannett, P.E. For Defendant Department of Transportation 1980 West Broad Street Columbus, Ohio 43223

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