

[Cite as *Combs v. Ross Correctional Inst.*, 2003-Ohio-2965.]

IN THE COURT OF CLAIMS OF OHIO

ELMER L. COMBS :  
Plaintiff :  
v. : CASE NO. 2002-04933-AD  
ROSS CORRECTIONAL INSTITUTION : ENTRY OF DISMISSAL  
Defendant :

: : : : : : : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{¶2} 1) On November 5, 2002, this court issued an order (Jr. Vol. 724, Pgs. 54-57) granting defendant's motion to order plaintiff to submit the filing fee and requiring plaintiff to submit the filing fee on or before December 24, 2002, or face dismissal of his case;

{¶3} 2) On December 26, 2002, plaintiff filed a motion for court review;

{¶4} 3) A check of the docket reveals plaintiff has failed to submit the filing fee.

{¶5} THE COURT CONCLUDES THAT:

{¶6} 1) C.C.R. 10(H)(1) in pertinent part states:

{¶7} A motion for court review filed before entry of such determination shall be treated as filed after such entry and the day therefor."

{¶8} IT IS ORDERED THAT:

{¶9} 1) Plaintiff's case is DISMISSED without prejudice

based on plaintiff's failure to comply with this court's order of November 5, 2002;

{¶10} 2) Plaintiff's motion for court review shall be forwarded to the Judge of the Court of Claims for further proceedings.

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DANIEL R. BORCHERT  
Deputy Clerk

Entry cc:

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5/14  
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