

[Cite as *Penland v. Ohio Dept. of Rehab. & Corr.*, 2004-Ohio-2758.]

IN THE COURT OF CLAIMS OF OHIO

ALEX PENLAND :

Plaintiff : CASE NO. 2003-08428
Judge J. Warren Bettis
v. : Magistrate Steven A. Larson

OHIO DEPARTMENT OF : MAGISTRATE DECISION
REHABILITATION AND CORRECTIONS

Defendant :
: : : : : : : : : : : : : : : :

{¶1} On May 10, 2004, this case came on for trial before a magistrate at Madison Correctional Institution on the sole issue of defendant's liability.

{¶2} The case was scheduled for trial at 10:00 a.m. The case was called for trial at 10:18 a.m., but plaintiff failed to appear.

{¶3} Upon oral motion of defendant, the court recommends plaintiff's case be dismissed pursuant to Civ.R. 41(B).

{¶4} *A party may file written objections to the magistrate's decision within 14 days of the filing of the decision. A party shall not assign as error on appeal the court's adoption of any finding or conclusion of law contained in the magistrate's decision unless the party timely and specifically objects to that finding or conclusion as required by Civ.R. 53(E)(3).*

STEVEN A. LARSON

Case No. 2003-08428

-2-

MAGISTRATE DECISION

Magistrate

Entry cc:

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SAL/cmd
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