

of any negligence by defendant, there is no liability. *Piqua v. Morris* (1918), 98 Ohio St. 42, 49. The term, "Act of God," in its legal significance, means any irresistible disaster, the result of natural causes, such as earthquakes, violent storms, lightning and unprecedented floods. *Id.* at 47-48. Accordingly, the storm occurring on July 4, 2003, was strong enough to cause plaintiffs' damage by its own power alone as evidenced by the fact that a swath of trees on defendant's premises were toppled by the storm. Therefore, the court concludes no liability shall attach to defendant for damage done by an "Act of God."

{¶5} Having considered all the evidence in the claim file and, for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of defendant. Court costs are assessed against plaintiffs. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

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