

[Cite as *Siggers v. S. Ohio Correctional Facility*, 2004-Ohio-2896.]

IN THE COURT OF CLAIMS OF OHIO

RICHARD SIGGERS	:	
Plaintiff	:	
v.	:	CASE NO. 2004-04621-AD
SOUTHERN OHIO CORRECTIONAL FACILITY	:	<u>ENTRY OF DISMISSAL</u>
Defendant	:	
	:	

{¶1} On April 14, 2004, plaintiff filed a complaint against defendant, Southern Ohio Correctional Facility, alleging while moving plaintiff's television set defendant's agents dropped it. Plaintiff seeks damages in the amount of \$155.00 for the loss of his television set plus \$25.00 for reimbursement of the filing fee which he submitted with the complaint.

{¶2} On April 29, 2004, plaintiff submitted a letter requesting his claim be dismissed since defendant has agreed to pay for the damaged television set. Plaintiff also requests the return of his filing fee.

{¶3} Plaintiff's letter is considered a motion for voluntary dismissal and is GRANTED. Plaintiff's case is DISMISSED without prejudice. Reimbursement of the filing fee is only granted when judgment is rendered against defendant. Accordingly, plaintiff's request for reimbursement of the filing fee is DENIED. The court shall absorb the court costs of this case. The clerk shall serve

upon all parties notice of this entry of dismissal and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Richard Siggers, #147-359
P.O. Box 45699
Lucasville, Ohio 45699

Plaintiff, Pro se

Southern Ohio Correctional
Facility
P.O. Box 45699
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Defendant

DRB/laa
5/4
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