

Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

ROBERT JELUS

Plaintiff

v.

UNKNOWN

Defendant

Case No. 2008-08949-AD

Deputy Clerk Daniel R. Borchert

ENTRY OF DISMISSAL

{¶ 1} On August 19, 2008, plaintiff, Robert Jelus, filed a complaint against defendant, Kokosing Construction Company. On August 20, 2008, this court issued a pre-screening entry dismissing Kokosing Construction Company as defendant and requiring plaintiff to submit on or before September 20, 2008, an amended complaint which names a state department, board, office, commission, agency, institution or other state instrumentality as defendant. On September 3, 2007, plaintiff filed an amended complaint which again names Kokosing Construction Company as defendant.

{¶ 2} R.C. 2743.02(E) in pertinent part states:

{¶ 3} “(E) The only defendant in original actions in the court of claim is the state.”

{¶ 4} Kokosing Construction Company is not a state entity. Accordingly, plaintiff’s case is DISMISSED without prejudice. The court shall absorb the court costs of this case in excess of the filing fee.

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ENTRY

Entry cc:

Robert Jelus
2094 Entrada Drive
Beavercreek, Ohio 45431

DRB/laa
Filed 10/15/08
Sent to S.C. reporter 1/6/09

DANIEL R. BORCHERT
Deputy Clerk