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**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

JACQUELINE D. ANGLIN
Plaintiff

STATE OF OHIO, UNEMPLOYMENT
COMPENSATION
Defendant

Case No: CV-14-821832

Judge: CAROLYN B FRIEDLAND

JOURNAL ENTRY

89 DIS. W/ PREJ - FINAL

APPELLEE'S MOTION TO DISMISS, FILED 07/23/2014, IS GRANTED. A MOTION TO DISMISS TESTS THE SUFFICIENCY OF A COMPLAINT ONLY. STATE EX REL. HANSON V. GUERNSEY CTY. BD. OF COMMRS. (1992), 65 OHIO ST.3D 545, 548. A MOTION TO DISMISS IS NOT DESIGNED TO ACT AS A DETERMINATION OF THE MERITS OF A CLAIM. FALLANG V. HICKEY (AUG. 31, 1987), 12TH APP. DIST. NO. CA86-11-163, 1987 OHIO APP. LEXIS 8542, *11-12. THEREFORE, A COURT'S ONLY TASK IN REVIEWING A MOTION TO DISMISS IS TO DETERMINE WHETHER THE ALLEGATIONS OF THE CHALLENGED PLEADING, IF TRUE, STATE A LEGAL CAUSE OF ACTION. ID. AT *12. IN THIS CASE, THIS COURT LACKS JURISDICTION TO HEAR APPELLANT'S APPEAL DUE TO ITS UNTIMELY FILING. THE CASE IS DISMISSED WITH PREJUDICE. FINAL. COURT COST ASSESSED TO THE PLAINTIFF(S).

Judge Signature

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- 89
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ANDREA F. ROCCO, CLERK