



ATTORNEY GENERAL'S OFFICE

JUN 29 2015

EXECUTIVE AGENCIES

LORAIN COUNTY COURT OF COMMON PLEAS  
LORAIN COUNTY, OHIO

TOM ORLANDO, Clerk  
JOURNAL ENTRY  
John R. Miraldi, Judge

Date 06/16/2015

Case No. 15CV186279

GERALD R. SMITH  
Plaintiff

PRO SE  
Plaintiff's Attorney

VS

MARY LOU GOLSKI  
Defendant

JOHN T MCLANDRICH  
Defendant's Attorney (216)248-7906

**DECISION AND JOURNAL ENTRY ON DEFENDANTS  
DON PETIT AND OHIO BUREAU OF MOTOR VEHICLES' MOTION  
TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION  
AND FOR FAILURE TO STATE A CLAIM**

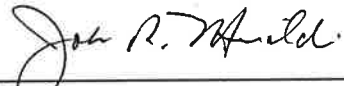
This cause came to be heard upon motion by Defendants Don Petit and the Ohio Bureau of Motor Vehicles' Motion to Dismiss for Lack of Jurisdiction and for Failure to State a Claim. Plaintiff Smith has not filed a brief in opposition to the defendants' motion.

Defendants argue that this Court lacks jurisdiction over them as they may be sued only in the Court of Claims. Because they are agents of the State of Ohio the Court of Claims has exclusive jurisdiction. Upon consideration thereof, the Court agrees and finds that it lacks jurisdiction over these defendants. See, R.C. §2743.03(A).

In light of the foregoing, Defendants' motion to dismiss for lack of jurisdiction is granted and Defendant Don Petit and Defendant Ohio Bureau of Motor Vehicles are hereby dismissed from this case. Defendants' motion to dismiss for failure to state a claim under Civ.R. 12(B)(6) is moot.

IT IS SO ORDERED.

VOL \_\_\_\_ PAGE \_\_\_\_

  
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John R. Miraldi, Judge

cc: All Parties



**LORAIN COUNTY COURT OF COMMON PLEAS  
LORAIN COUNTY JUSTICE CENTER  
225 COURT STREET  
ELYRIA, OHIO 44035**

TO: ZACHARY C SCHAENGOLD  
ASSISTANT ATTY. GENERAL  
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