

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

ELLIOTT E. VEST,	:	
	:	
Appellant	:	CASE NO. 13CVF-13401
	:	
vs.	:	JUDGE BEATTY
	:	
OHIO DEPARTMENT OF PUBLIC SAFETY,	:	
	:	
Appellee.	:	

DECISION AND JUDGMENT ENTRY
GRANTING MOTION TO DISMISS
AND
NOTICE OF FINAL APPEALABLE ORDER

BEATTY, JUDGE

This matter is before the Court on a Motion to Dismiss filed on February 6, 2014.

This administrative appeal is governed by R.C. 119.12, which provides that “Any party desiring to appeal shall file a notice of appeal with the agency setting forth the order appealed from and stating that the agency’s order is not supported by reliable, probative and substantial evidence and is not in accordance with law.” The Tenth District Court of Appeals has held that to invoke the Court’s subject-matter jurisdiction, a notice of appeal must state “that the agency’s order is not supported by reliable, probative and substantial evidence and is not in accordance with law.” *Foreman v. Lucas Cty. Court of Common Pleas*, 189 Ohio App.3d 678, 2010-Ohio-4731, ¶15; *Siegler v. Ohio State University*, 10th Dist. No. 10AP-421, 2011-Ohio-2485, ¶5-6. The notice of appeal in this case does not contain the language required to invoke this Court’s subject-matter jurisdiction.

For the foregoing reasons, this case is DISMISSED. This is a final, appealable Order. Costs to Appellant.

Copies to:

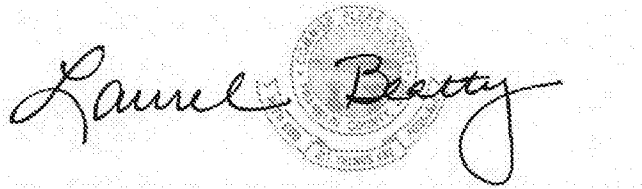
Elliott E. Vest, Appellant
2983 Barclay Square S.
Columbus, OH 43209

Federico G. Barrera III, Counsel for Appellee

Franklin County Court of Common Pleas

Date: 03-04-2014
Case Title: ELLIOTT E VEST -VS- OHIO STATE DEPARTMENT PUBLIC SAFETY
Case Number: 13CV013401
Type: DECISION/ENTRY

It Is So Ordered.

A handwritten signature in cursive script, reading "Laurel Beatty", is written over a circular, embossed seal. The seal is partially obscured by the signature and appears to be the official seal of the court.

/s/ Judge Laurel A. Beatty

Court Disposition

Case Number: 13CV013401

Case Style: ELLIOTT E VEST -VS- OHIO STATE DEPARTMENT
PUBLIC SAFETY

Case Terminated: 18 - Other Terminations

Motion Tie Off Information:

1. Motion CMS Document Id: 13CV0134012014-02-0699970000

Document Title: 02-06-2014-MOTION TO DISMISS

Disposition: MOTION GRANTED

2. Motion CMS Document Id: 13CV0134012014-02-2899980000

Document Title: 02-28-2014-MOTION TO EXTEND TIME

Disposition: MOTION RELEASED TO CLEAR DOCKET