

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

TIMOTHY SWEATTE,	)	CASE NO. 16CV 1690
	)	
Appellant,	)	JUDGE JULIE LYNCH
	)	
v.	)	
	)	
OHIO STATE DEPT. OF JOB AND	)	<b><u>ENTRY GRANTING MOTION OF</u></b>
FAMILY SERVICES,	)	<b><u>APPELLEE TO DISMISS FOR</u></b>
	)	<b><u>FAILURE TO PROSECUTE,</u></b>
Appellee.	)	<b><u>Filed May 4, 2016</u></b>

**LYNCH, J.**

This matter is before the Court upon the motion of Appellee, Director, Ohio Department of Job and Family Services (“ODJFS”) to dismiss the within action for failure of Appellant, Timothy Sweatte (“Appellant”) to prosecute this matter, filed on May 4, 2016 (the “motion to dismiss”). In response to the motion to dismiss, Appellant filed a “Motion to file a continuous” [sic] in which he indicated that he was aware of the motion to dismiss filed by ODJFS and he needed “to find out the reason” it was filed. The Court then issued its June 7, 2016 Order Holding in Abeyance Motion of Appellee to Dismiss; Entry Granting Motion of Appellant for Continuance; and Notice of Intent to Dismiss for Failure to Prosecute (the “June 7, 2016 Entry”), which afforded Appellant twenty-one days from the date of the aforementioned entry in which to file his brief.

More than twenty-one days have passed since the issuance of the June 7, 2016 Entry and Appellant has failed to file his brief. Accordingly, the motion of

ODJFS to dismiss for failure to prosecute is hereby **GRANTED**, and pursuant to Civ.R. 41(B)(1), the within matter is hereby **DISMISSED, with prejudice**.

**IT IS SO ORDERED.**

Electronic copies to all counsel and/or parties of record

Copy by U.S. Mail to:

Timothy Sweatte  
1541 Crossclub Drive  
Westerville, OH 43081

Franklin County Court of Common Pleas

**Date:** 07-07-2016  
**Case Title:** TIMOTHY SWEATTE -VS- OHIO STATE DEPT JOB AND  
FAMILY SERVICES  
**Case Number:** 16CV001690  
**Type:** DECISION/ENTRY

It Is So Ordered.

  
The image shows a handwritten signature in black ink that reads "Julie M. Lynch". The signature is written in a cursive style. To the right of the signature is a circular blue ink stamp. The stamp contains the text "COMMON PLEAS COURT" at the top, "FRANKLIN COUNTY OHIO" around the middle, and "ALL THINGS ARE" at the bottom.

/s/ Judge Julie M. Lynch

Court Disposition

Case Number: 16CV001690

Case Style: TIMOTHY SWEATTE -VS- OHIO STATE DEPT JOB  
AND FAMILY SERVICES

Case Terminated: 09 - Dismissal - Want of Prosecution

Final Appealable Order: No

Motion Tie Off Information:

1. Motion CMS Document Id: 16CV0016902016-05-0499980000  
Document Title: 05-04-2016-MOTION TO DISMISS -  
DEFENDANT: OHIO STATE DEPT JOB AND FAMILY SERVICES  
Disposition: MOTION GRANTED