

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

Davarus Cornett, :  
 :  
 Appellant, : Case No. 17CV 4020  
 :  
 -v- : JUDGE LYNCH  
 :  
 Admr., Unemployment Compensation :  
 Review Commn., et al., :  
 :  
 Appellees. :

**DECISION AND ENTRY GRANTING  
MOTION OF APPELLEE, DIRECTOR ODJFS,  
Filed May 15, 2017**

**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, filed May 15, 2017. The motion is unopposed and is ripe for ruling.

Plaintiff initiated this action on May 2, 2017 wherein he purports to appeal the November 9, 2016 decision of the Unemployment Compensation Review Commission (the “Review Commission”). In its motion to dismiss, ODJFS argues that the November 9, 2016 decision of the Review Commission was affirmed on March 21, 2017 by Judge McIntosh in Case No. 16CV 11382; that no appeal was taken to the Franklin County Court of Appeals; and that the decision by Judge McIntosh acts as res judicata, preventing Appellant from re-litigating the same issue of whether the November 9, 2016 decision of the Review Commission is unlawful, unreasonable, or against the manifest weight of the evidence. Thus, argues ODJFS, the within action must be dismissed. The Court agrees.

Accordingly, it is hereby **ORDERED** that the within action be **DISMISSED**, with prejudice, in its entirety. This is a final appealable order and there is no just cause for delay.

**IT IS SO ORDERED.**

**Direction to Clerk:**

**Pursuant to Civ.R.58(B), you are to serve notice of this judgment and its date of entry upon the journal to all parties not in default for failure to appear within three days of the judgment's entry upon the journal, and note the service in the appearance docket.**

Electronic notification to all parties and counsel of record

Copy by U.S. Mail to:

Davarus Cornett  
334 Monroe Ave.  
Columbus, OH 43203

Franklin County Court of Common Pleas

**Date:** 06-29-2017  
**Case Title:** DAVARUS CORNETT -VS- ADMINISTRATOR  
UNEMPLOYMENT REVIEW COMMIS ET AL  
**Case Number:** 17CV004020  
**Type:** DECISION/ENTRY

It Is So Ordered.

  
A circular official seal of the Franklin County Court of Common Pleas is partially visible behind the signature. The seal contains the text "COMMON PLEAS COURT", "FRANKLIN COUNTY", and "ALL THINGS ARE".

/s/ Judge Julie M. Lynch

Court Disposition

Case Number: 17CV004020

Case Style: DAVARUS CORNETT -VS- ADMINISTRATOR  
UNEMPLOYMENT REVIEW COMMIS ET AL

Case Terminated: 10 - Magistrate

Final Appealable Order: Yes

Motion Tie Off Information:

1. Motion CMS Document Id: 17CV0040202017-05-1599970000  
Document Title: 05-15-2017-MOTION TO DISMISS -  
DEFENDANT: OHIO STATE DEPARTMENT JOB & FAMILY SERVI  
Disposition: MOTION GRANTED