

enclosed Map) As such, this section of the roadway is not within the jurisdiction of the defendant.”;

{¶5} 4) Plaintiff did not respond to defendant’s motion to dismiss.

{¶6} THE COURT CONCLUDES THAT:

{¶7} 1) R.C. 5501.31 in pertinent part states:

“Except in the case of maintaining, repairing, erecting traffic signs on, or pavement marking of state highways within villages, which is mandatory as required by section 5521.01 of the Revised Code, and except as provided in section 5501.49 of the Revised Code, **no duty of constructing, reconstructing, widening, resurfacing, maintaining, or repairing state highways within municipal corporations, or the bridges and culverts thereon, shall attach to or rest upon the director . . .**”;

{¶8} 2) The location of plaintiff’s damage causing incident was not within the maintenance responsibility of the defendant.

{¶9} IT IS ORDERED THAT:

{¶10} 1) Defendant’s motion to dismiss is GRANTED;

{¶11} 2) Plaintiff’s case is DISMISSED;

{¶12} 3) The court shall absorb the court costs of this case in excess of the filing fee.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

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Plaintiff, Pro se

Gordon Proctor, Director
Department of Transportation

For Defendant

Case No. 2003-02284-AD

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ENTRY

1980 West Broad Street
Columbus, Ohio 43223

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