

Licking County Municipal Court
40 West Main Street
Newark City Building
Newark, Ohio 43055

FILED
LICKING COUNTY
MUNICIPAL COURT

2020 OCT 26 AM 9:19

Judge
B. Matthew George
740-670-7852

Judge
David N. Stansbury
740-670-7842

NEWARK OHIO
MARCIA J. PHELPS
CLERK

128 FLEEK NEWARK LLC
Plaintiff(s)

Attorney(s)

Phillip Demarest

Case # 20CVG02022

vs

MARILYN JANE HASSETT,
OTHER UNKNOWN OCCUPANTS
Defendant(s)

Attorney(s)

DENNIS HARRINGTON

JUDGMENT ENTRY

In accordance with Civil Rule 53, the court hereby adopts the Magistrate's Decision filed this date and enters judgment herein.

The Magistrate's Decision is rejected/modified as follows:

It is therefore, Ordered, Adjudged and Decrees that final judgment be granted as follows:

- ☐ First cause of action dismissed without prejudice.
☐ Judgment for Defendant(s), Plaintiff(s) (first cause of action)(complaint) dismissed at Plaintiff's costs.
☒ Case dismissed without prejudice at plaintiff(s) costs.
☐ Other:

Pursuant to Rules 53(E)(1) and 58 of the Ohio Rules of Civil Procedure, the Court hereby directs the Clerk of Licking County Municipal Court to serve on all parties a copy of the decision of the Magistrate and notice of this judgment and its date of entry on the journal.

Date

Judge

David N. Stansbury

NOTICE: The issue of monetary damages will be heard at a later date, provided the plaintiff has accomplished service on the defendant by personal service or by certified mail service and if unclaimed by regular mail service. Posting of the summons does not meet the legal requirement for seeking monetary damages. Case dismissed without prejudice at plaintiff(s) costs will not have monetary damages.

Licking County Municipal Court
Newark, Ohio

FILED
2020 OCT 21 PM 12:28

NEWARK OHIO
MARCIA J. PHELPS
CLERK

128 FLEEK NEWARK LLC
OHIO LIMITED COMPANY
Plaintiff(s)

vs

Case # 20CVG02022

MARILYN JANE HASSETT,
OTHER UNKNOWN OCCUPANTS
Defendant(s)

MAGISTRATE'S DECISION

Plaintiff(s) represented by PHIL DEMAREST

Defendant(s) represented by DENNIS HARRINGTON

Case called for trial at _____ (A.M.)(P.M.) Plaintiff(s) appeared. Defendant(s) failed to appear. Based on the evidence presented, the Magistrate finds that the Notice to Vacate conforms to R.C. 1923.04 and was properly served, and that Plaintiff(s) has proven non-payment of rent and the allegations set forth in the complaint by a preponderance of the evidence. Judgment for Plaintiff(s) for restitution of the premises and costs.

Case called for trial Plaintiff(s) and Defendant(s) _____ appeared. Based on the evidence presented, the Magistrate finds that the Notice to Vacate conforms to R.C. 1923.04 and was properly served, and that Plaintiff(s) has proven non-payment of rent and allegations set forth in the complaint by a preponderance of the evidence. Judgment for Plaintiff(s) for restitution of the premises and costs.

Case called for trial at _____ (A.M.)(P.M.). No one appeared. The (first cause)(case) is dismissed at Plaintiff's costs.

☒ Case called for trial at _____ (A.M.)(P.M.) Defendant(s) MARILYN HASSETT appeared. The (first cause)(case) is dismissed at Plaintiff's costs. DEFECTIVE 3 DAY NOTICE
Reassign for service as to Defendant(s) PLAINTIFF PARTY NOT ON NOTICE -
SIGNATURE ILLEGIBLE

Based on information supplied by Plaintiff(s), the (first cause)(case) is dismissed without prejudice.

Other _____

NOTICE: A party shall not assign as error on appeal the court's adoption of any finding of fact or conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Civ.R.53(D)(3)(iii), unless the party timely and specifically objects to that factual finding or legal conclusion, as required by Civ. R. 53(D)(3)(b).

10-21-20
Date

[Signature]
Magistrate

NOTICE: The issue of monetary damages will be heard at a later date, provided the plaintiff has accomplished service on the defendant by personal service or by certified mail service and if unclaimed by regular mail service. Posting of the summons does not meet the legal requirement for seeking monetary damages.