

FILED
LICKING COUNTY
MUNICIPAL COURT

IN THE LICKING COUNTY MUNICIPAL COURT

Jennifer Nutter,

2007 OCT 15 P 3:54

Plaintiff,

NEWARK OHIO
LAWYER
CLERK

vs.

Case No. 07CVG02622

Fred Rhoades, et al,

Judge Michael F. Higgins

Defendant.

JUDGMENT ENTRY

This matter came on for hearing upon the Plaintiff's Complaint seeking to evict the tenants from property located at 215-B Hoover Street, Newark, Ohio. For purposes of this ruling, the material facts are not in dispute. The Court does, however, recognize there is a dispute as to the amount of rent tendered in September of 2007. The fact not in dispute is that the Defendant tendered at least \$300.00, which was accepted by the Plaintiff as partial payment of September rent. Plaintiff's acceptance of a partial rent payment negates her right to evict on the month of September.

Accordingly, the Court must rule in favor of the Defendant. Case dismissed. Costs to Plaintiff.

Judge
W. David Branstool

Judge
Michael F. Higgins

40 W. Main Street
Newark, OH 43055

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JUDGE MICHAEL F. HIGGINS

cc: Jennifer Nutter,
Plaintiff

Scott E. Torguson,
Attorney for Defendant