

ORIGINAL

FILED
COURT OF CLAIMS
OF OHIO

IN THE COURT OF CLAIMS OF OHIO

2014 OCT -6 PM 2:55

PAUL JOHNSON,

Plaintiff,

v.

Case No. 2012-08907

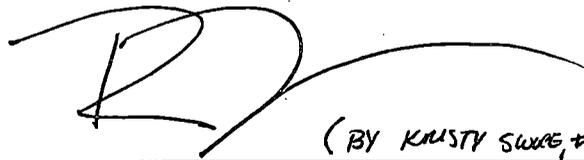
**OHIO DEPARTMENT OF
REHABILITATION AND CORRECTION**

Defendant.

Magistrate Anderson M. Renick

**RENEWED MOTION OF PLAINTIFF FOR CONTINUANCE
OF TRIAL AND FOR RECONSIDERATION**

Now comes counsel for Plaintiff, Paul Johnson, and moves the court to reconsider its ruling in regard to Plaintiff's motion for continuance of the trial scheduled on October 3, 2014, at 10:00 a.m., and renews his motion for continuance of said trial.



(BY KUSTY SWOPE, #0034238)

By: RICHARD F. SWOPE (#0000605)
Swope and Swope - Attorneys at Law
6480 East Main Street, Suite 102
Reynoldsburg, Ohio 43068
Telephone: (614) 866-1492
Attorneys for Plaintiff

MEMORANDUM IN SUPPORT OF MOTION

The Trial of this case was scheduled for October 3, 2014. The Plaintiff advised counsel on October 2, 2014, he had obtained a bus ticket and was coming to the trial in Columbus, from Detroit, Michigan.

Plaintiff did not appear at 10:00 a.m. on the day of the trial and the court waited until 10:30 a.m. for his arrival. At approximately 11:15 a.m. counsel's office received a telephone

ON COMPUTER

call from a clerk in the Franklin County Court of Common Pleas advising Plaintiff was there and had been waiting since 8:30 a.m. for his trial. Plaintiff has never been to Columbus, Ohio, and was unaware he was in the wrong courthouse until long after his trial was to begin.

Counsel therefore respectfully moves the Court to reconsider and continue this case so Plaintiff may have an opportunity to try his case. Counsel for Plaintiff contacted Assistant Attorney General Brian Kneafsey, counsel for Defendant, who indicates he has no objection to this request.

Respectfully submitted,


(BY KRISTY SWOPE #0034238)
By: **RICHARD F. SWOPE** (#0000605)
Swope and Swope - Attorneys at Law
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Reconsider and Continue Trial was served upon counsel for the Defendant, James Dinsmore and Brian M. Kneafsey, Jr., Assistant Attorneys General, Court of Claims Defense Section, 150 E. Gay St., 18th Floor, Columbus, Ohio 43215, by regular U.S. mail, postage prepaid, on the 6th day of October, 2014.


(BY KRISTY SWOPE #0034238)
By: **RICHARD F. SWOPE** (#0000605)
Swope and Swope - Attorneys at Law
Attorneys for Plaintiff