

FILED

JUL 13 2012

CLERK OF COURT  
SUPREME COURT OF OHIO

# The Supreme Court of Ohio

JNT Properties, LLC

Case No. 2011-1392

v.

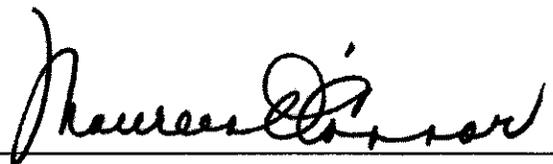
ENTRY

Keybank, National Association

This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County.

Upon consideration of appellant's motion to strike the notice of filing in the trial court of a voluntary dismissal of plaintiff's claims pursuant to Ohio Civil Rule 41(A)(1)(a), it is ordered by the court that the motion is granted. The trial court may not consider the notice of voluntary dismissal because "a notice of voluntary dismissal filed after the trial court enters summary judgment is of no force and effect and is a nullity." *State ex rel. Engelhart v. Russo*, 131 Ohio St.3d 137, 2012-Ohio-47, at ¶ 17.

(Cuyahoga County Court of Appeals; No. 95822)



Maureen O'Connor  
Chief Justice