

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO  
CIVIL DIVISION

DAREK LATHAN,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	Case No. 15CVC10-9185
	:	
OHIO STATE CORRECTION RECEPTION	:	JUDGE CAIN
CENTER, OFFICER SPITLER,	:	
Defendant.	:	

DECISION AND ENTRY GRANTING DEFENDANTS' MOTION TO DISMISS  
FILED DECEMBER 4, 2015

Cold showers caused his bowels to malfunction  
Or so the plaintiff claims  
A strict uncaring prison guard  
Is whom the plaintiff blames.

While in line for recreation  
And little time for hesitation  
His anal sphincter just exploded  
The plaintiff's britches quickly loaded.

It made the inmates laugh and play  
To see the plaintiff's pants this way  
The foul, unsightly, putrid mess  
Caused the plaintiff major stress.

Claiming loss and shame to boot  
The plaintiff filed the present suit  
But the law provideth no relief  
For such unmitigated grief.

Neither runs nor constipation  
Can justify this litigation  
Whether bowels constrict or flex  
De minimis non curat lex.

The complaint is hereby dismissed with prejudice. This is a final appealable order and there is no just cause for delay. The clerk shall serve a copy of this decision on all parties in accordance with Civ.R.58(B).

So Ordered.

Copies electronically to:

Mindy A. Worley  
Principal Assistant Attorney General  
Counsel for Defendants

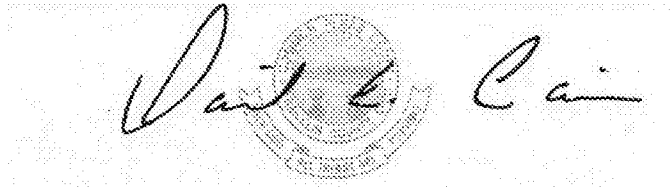
Copies mailed to:

Darek Lee Lathan #718-609  
North Central Correctional Institution  
P.O. Box 1812  
Marion, Ohio 43302  
Plaintiff

Franklin County Court of Common Pleas

**Date:** 01-07-2016  
**Case Title:** DAREK LATHAN -VS- OHIO STATE CORR RECEP CENTER  
OF CR SPITILE  
**Case Number:** 15CV009185  
**Type:** ENTRY

It Is So Ordered.

A handwritten signature in cursive script that reads "David E. Cain" is written over a circular official seal. The seal is partially obscured by the signature and contains some illegible text and a central emblem.

/s/ Judge David E. Cain

Court Disposition

Case Number: 15CV009185

Case Style: DAREK LATHAN -VS- OHIO STATE CORR RECEP  
CENTER OFCR SPITLE

Case Terminated: 08 - Dismissal with/without prejudice

Final Appealable Order: Yes

Motion Tie Off Information:

1. Motion CMS Document Id: 15CV0091852015-12-3099980000  
Document Title: 12-30-2015-MOTION TO STRIKE - PLAINTIFF:  
DAREK LATHAN  
Disposition: MOTION IS MOOT
2. Motion CMS Document Id: 15CV0091852015-12-2199980000  
Document Title: 12-21-2015-MOTION TO STRIKE - PLAINTIFF:  
DAREK LATHAN  
Disposition: MOTION IS MOOT
3. Motion CMS Document Id: 15CV0091852015-12-1199980000  
Document Title: 12-11-2015-MOTION FOR SUMMARY  
JUDGMENT - PLAINTIFF: DAREK LATHAN  
Disposition: MOTION IS MOOT
4. Motion CMS Document Id: 15CV0091852015-12-0499960000  
Document Title: 12-04-2015-MOTION TO DISMISS -  
DEFENDANT: OHIO STATE CORR RECEP CENTER OFCR SPITLE  
Disposition: MOTION GRANTED