



which collapsed when there was other available access to the barn, violated the standard of ordinary care [sic];

{¶ 6} "3.) The decision is against the manifest weight of the evidence, the record clearly demonstrating the vehicle was operating over gravel, paved highway and other areas without providing inmates with seat restraints, grab bars or other safety equipment to protect against accidentally throwing them about the back of the truck upon sudden stop or accident; and

{¶ 7} "4.) The decision as to the injuries caused by Correctional Officer Lindsey caused by stabbing Plaintiff with a pen or knife was contrary to law and is against the manifest weight of the evidence."

{¶ 8} Upon review, the totality of the evidence supports the magistrate's conclusion that defendants were under no duty to equip the truck with seatbelts. The court also agrees that the *Woods* case is factually distinguishable from this case. Unlike plaintiff in this case, the inmate in *Woods* was in full restraints at the time of the accident. In short, after reviewing the entire record and the magistrate's decision, the court finds that the magistrate's conclusions regarding liability are supported by the greater weight of the evidence and are in accordance with law.

{¶ 9} For the reasons stated above, the court finds that the magistrate correctly analyzed the issues and applied the law to the facts. Therefore, the objections are OVERRULED and the court adopts the magistrate's decision and recommendation as its own, including the findings of fact and conclusions of law contained therein. Judgment is rendered in favor of defendants. Court costs

{¶ 10} are assessed against plaintiff. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

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J. CRAIG WRIGHT  
Judge

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