

[Cite as *Moro v. Ohio State Hwy. Patrol*, 2002-Ohio-4635.]

IN THE COURT OF CLAIMS OF OHIO

JOSEPH M. MORO	:	
4558-D Mandeville Court	:	
Columbus, Ohio 43232	:	Case No. 2002-04429-AD
Plaintiff	:	MEMORANDUM DECISION
v.	:	
OHIO STATE HIGHWAY PATROL	:	
Defendant	:	

: : : : : : : : : : : : : : :

For Defendant: Colonel Kenneth L. Morckel, Superintendent
Ohio State Highway Patrol
P.O. Box 182074
Columbus, Ohio 43218-2074
: : : : : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{¶2} 1) On April 29, 2002, plaintiff, Joseph M. Moro, filed a complaint against defendant, Ohio State Highway Patrol, alleging his automobile tires were damaged by negligent acts attributable to defendant's employees. Plaintiff seeks damages in the amount of \$169.17. Plaintiff submitted the filing fee with his complaint;

{¶3} 2) On June 20, 2002, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$169.17.

{¶4} THE COURT CONCLUDES THAT:

{¶5} 1) I find, by a preponderance of the evidence, negligence by defendant has been shown. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD; *Stewart v. Ohio National Guard* (1979), 78-0342-AD;

{¶6} 2) Plaintiff has suffered damages in the amount of \$169.17, plus the \$25.00 filing fee, which may be reimbursed as compensable damages pursuant to the holding in *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19.

{¶7} Having considered all the evidence in the claim file and adopting the memorandum decision concurrently herewith;

{¶8} IT IS ORDERED THAT:

{¶9} 1) Plaintiff's claim is GRANTED and judgment is rendered in favor of the plaintiff;

{¶10} 2) Defendant (Ohio State Highway Patrol) pay plaintiff (Joseph M. Moro) \$194.17 and such interest as is allowed by law;

{¶11} 3) Court costs are assessed against defendant.

DANIEL R. BORCHERT
Deputy Clerk

RDK/laa
7/23
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