IN THE COURT OF CLAIMS OF OHIO

SONYA K. CLARK, #17400   :
1479 Collins Avenue
Marysville, Ohio 43040   :   Case No. 2002-08386-AD

    Plaintiff   :   MEMORANDUM DECISION

       v.   :

OHIO REFORMATORY FOR WOMEN   :

    Defendant   :

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

For Defendant: Deborah Timmerman-Cooper, Warden
              Ohio Reformatory for Women
              1479 Collins Avenue
              Marysville, Ohio 43040
          : : : : : : : : : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{¶2} 1)   On September 16, 2002, plaintiff, Sonya K. Clark, filed a complaint against defendant, Ohio Reformatory for Women, alleging her remote was destroyed and her radio/cassette player was lost while under the control of defendant's personnel. Plaintiff seeks damages for the loss of her property. Plaintiff submitted the filing fee with her complaint;

{¶3} 2)   On September 16, 2002, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of $37.36 for property loss.

{¶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 $37.36, 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 Reformatory for Women) pay plaintiff (Sonya K. Clark) $62.36 and such interest as is allowed by law;

{¶11} 3) The court shall absorb the court costs of this case.

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DANIEL R. BORCHERT
Deputy Clerk

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RDK/laa
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