

IN THE COURT OF CLAIMS OF OHIO

QIANG ZHANG :  
7177 Colesbrooke Drive :  
Hudson, Ohio 44236 : Case No. 2002-07878-AD  
  
Plaintiff : MEMORANDUM DECISION  
  
v. :  
  
CLEVELAND STATE UNIVERSITY :  
  
Defendant :

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

For Defendant: Nancy J. Cribbs, University Legal Counsel  
Cleveland State University  
Rhodes Tower 1212  
2121 Euclid Avenue  
Cleveland, Ohio 4114-2214  
: : : : : : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{¶2} 1) On August 26, 2002, plaintiff, Qiang Zhang, filed a complaint against defendant, Cleveland State University, alleging his automobile windshield was damaged while his car was parked on defendant's premises. Plaintiff seeks damages in the amount of \$159.50 for property damage, plus filing fee reimbursement. Plaintiff submitted the filing fee with his complaint;

{¶3} 2) On September 11, 2002, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$159.50 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 \$159.50, 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 (Cleveland State University) pay plaintiff (Qiang Zhang) \$184.50 and such interest as is allowed by law;

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

DANIEL R. BORCHERT  
Deputy Clerk

RDK/laa  
10/10  
Filed 10/17/02  
Jr. Vol. 722, Pg. 60  
Sent to S.C. reporter 10/29/02