

[Cite as *Jones v. Ohio State Highway Patrol*, 2003-Ohio-121.]

IN THE COURT OF CLAIMS OF OHIO

ANN E. JONES	:	
1921 Maple Road	:	
Cambridge, Ohio 43725	:	Case No. 2002-09641-AD
Plaintiff	:	MEMORANDUM DECISION
v.	:	
OHIO STATE HIGHWAY PATROL	:	
Defendant	:	

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

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

{¶1} THE COURT FINDS THAT:

{¶2} 1) On October 28, 2002, plaintiff, Ann E. Jones, filed a complaint against defendant, Ohio State Highway Patrol, alleging her automobile was damaged by defendant's personnel. Plaintiff seeks damages in the amount of \$306.93 for automotive repair costs, plus filing fee reimbursement;

{¶3} 2) On December 10, 2002, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$306.93 for repair costs, plus filing fee reimbursement of \$25.00;

{¶4} 3) Plaintiff filed a response expressing her agreement with defendant's position.

{¶5} THE COURT CONCLUDES THAT

{¶6} 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;

{¶7} 2) Plaintiff has suffered damages in the amount of \$306.93, 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.

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

{¶9} IT IS ORDERED THAT:

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

{¶11} 2) Defendant (Ohio State Highway Patrol) pay plaintiff (Ann E. Jones) \$331.93 and such interest as is allowed by law;

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

DANIEL R. BORCHERT
Deputy Clerk

RDK/laa
12/18
Filed 1/7/03
Jr. Vol. 729, Pg. 121
Sent to S.C. reporter 1/14/03