

[Cite as *Pruden v. Hueston Woods State Park*, 2003-Ohio-1466.]

IN THE COURT OF CLAIMS OF OHIO

WARD PRUDEN	:	
3886 Lanes Mill Road	:	
Oxford, Ohio 45056	:	Case No. 2003-01253-AD
Plaintiff	:	MEMORANDUM DECISION
v.	:	
HUESTON WOODS STATE PARK	:	
Defendant	:	

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

For Defendant: Charles G. Rowan, Deputy Chief Counsel
 Department of Natural Resources
 1930 Belcher Drive, Building D-3
 Columbus, Ohio 43224-1387

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{¶1} THE COURT FINDS THAT:

{¶2} 1) On January 9, 2003, plaintiff, Ward Pruden, filed a complaint against defendant, Department of Natural Resources, alleging he suffered personal injury while walking on the boat dock at defendant's Hueston Woods State Park. Plaintiff seeks damages in the amount of \$663.16. Plaintiff submitted the filing fee with his complaint;

{¶3} 2) On February 4, 2003, defendant filed an investigation report admitting liability.

{¶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 \$663.16, 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 (Hueston Woods State Park) pay plaintiff (Ward Pruden) \$688.16 and such interest as is allowed by law;

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

DANIEL R. BORCHERT
Deputy Clerk

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