

IN THE COURT OF CLAIMS OF OHIO

WESLEY ULIS, #A227-713	:	
2075 S. Avon-Belden Road	:	
Grafton, Ohio 44044	:	Case No. 2003-02659-AD
Plaintiff	:	MEMORANDUM DECISION
v.	:	
LORAIN CORRECTIONAL	:	
INSTITUTION	:	
Defendant	:	

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

For Defendant: Linda S. Thomas, Warden
Lorain Correctional Institution
2075 S. Avon-Belden Road
Grafton, Ohio 44044
: : : : : : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{¶2} 1) On February 24, 2003, plaintiff, Wesley Ulis, filed a complaint against defendant, Lorain Correctional Institution, alleging his radio/cassette player was lost while under the control of defendant's personnel. Plaintiff seeks damages in the amount of \$84.99 for property loss, plus filing fee reimbursement. Plaintiff submitted the filing fee with his complaint;

{¶3} 2) On February 24, 2003, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$84.99 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 \$84.99, plus the \$25.00 filing fee, which may be reimbursed as compensable damages pursuant to *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 (Lorain Correctional Institution) pay plaintiff (Wesley Ullis) \$109.99 and such interest as is allowed by law;

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

DANIEL R. BORCHERT
Deputy Clerk

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