

[Cite as *Ford v. Belmont Correctional Inst.*, 2003-Ohio-1926.]

IN THE COURT OF CLAIMS OF OHIO

WILLIAM FORD, #358-053 :  
P.O. Box 540 :  
St. Clairsville, Ohio 43950 : Case No. 2002-10208-AD  
  
Plaintiff : MEMORANDUM DECISION  
  
v. :  
  
BELMONT CORRECTIONAL INST. :  
  
Defendant :

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

For Defendant: Gregory C. Trout, Chief Counsel  
Department of Rehabilitation and  
Correction  
1050 Freeway North  
Columbus, Ohio 43229

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{¶1} THE COURT FINDS THAT:

{¶2} 1) On November 20, 2002, plaintiff, William Ford, filed a complaint against defendant, Belmont Correctional Institution, alleging his cap was lost while under the control of defendant's personnel. Plaintiff seeks damages in the amount of \$4.00 for property loss, plus filing fee reimbursement. Plaintiff submitted the filing fee on December 13, 2002;

{¶3} 2) On February 10, 2003, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$29.00.

{¶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 \$4.00, 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 (Belmont Correctional Institution) pay plaintiff (William Ford) \$29.00 and such interest as is allowed by law;

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

DANIEL R. BORCHERT  
Deputy Clerk

RDK/laa  
3/13  
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