

**IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION**

IN RE: FELICIA C. PHILLIPS	:	Case No. V2002-51834
FELICIA C. PHILLIPS	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶1} This appeal came to be heard before this panel of three commissioners on February 6, 2003 at 10:20 A.M. upon the applicant's November 15, 2002 appeal from the October 24, 2002 Final Decision of the Attorney General.

{¶2} The Attorney General denied the applicant's claim for an award of reparations pursuant to R.C. 2743.60(D) contending that all the applicant's economic loss had been or may be recouped from a collateral source, specifically SummaCare and/or AFLAC. The Attorney General also denied the applicant's claim for work loss asserting that the applicant failed to prove she incurred such loss. On reconsideration, the Attorney General determined that no modification of the previous decision was warranted. The applicant appealed the Attorney General's Final Decision.

{¶3} Neither the applicant nor anyone on her behalf appeared at the hearing. An Assistant Attorney General attended the hearing and stated she rests on her Brief pending any questions from the panel. After a brief discussion of the claim, the panel chairman concluded the hearing.

{¶4} From review of the file and with full consideration given to all the information presented at the hearing, this panel makes the following determination. We find that the applicant incurred work loss from February 11, 2002 through February 15, 2002 as well as dental expense. See In re Calderon, V02-51320tc (12-12-02).

{¶5} Therefore, the October 24, 2002 decision of the Attorney General shall be reversed and the claim shall be remanded to the Attorney General for economic loss calculations in light of this decision.

{¶6} IT IS THEREFORE ORDERED THAT

{¶7} 1) The October 24, 2002 decision of the Attorney General is REVERSED to render judgment in favor of the applicant;

{¶8} 2) This claim is referred to the Attorney General for economic loss calculations and decision in light of the panel's findings;

{¶9} 3) This order is entered without prejudice to the applicant's right to file a supplemental compensation application pursuant to R.C. 2743.68;

{¶10} 4) Costs are assumed by the court of claims victims of crime fund.

CLARK B. WEAVER, SR.
Commissioner

DALE A. THOMPSON
Commissioner

ASHER W. SWEENEY
Commissioner

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