

**IN THE COURT OF CLAIMS OF OHIO**

**VICTIMS OF CRIME DIVISION**

IN RE: CHANNING E. ALLEN	:	Case No. V2003-40020
CHERYL B. PETWAY	:	<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 April 2, 2003 at 10:50 A.M. upon the applicant's January 6, 2003 appeal from the December 31, 2002 Final Decision of the Attorney General.

{¶2} The Attorney General denied the applicant's claim pursuant to R.C. 2743.60(E) contending that the decedent was convicted of a felony within ten years of the criminally injurious conduct. Information in the file reveals the decedent was convicted of Narcotic Drug with the Intent to Distribute in New York on October 19, 1994. 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 that he rests on the Finding of Fact and Decision, Final Decision, and the documentation contained in the file. The panel chairman concluded the hearing.

{¶4} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find the December 31, 2002 decision of the Attorney General shall be affirmed.

{¶5} IT IS THEREFORE ORDERED THAT

- {¶6} 1) The December 31, 2002 decision of the Attorney General is AFFIRMED;
- {¶7} 2) This claim is DENIED and judgment is entered for the state of Ohio;
- {¶8} 3) Costs are assumed by the court of claims victims of crime fund.

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CLARK B. WEAVER, SR.  
Commissioner

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DALE A. THOMPSON  
Commissioner

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ASHER W. SWEENEY  
Commissioner