

[Cite as *In re Renter*, 2003-Ohio-3851.]

**IN THE COURT OF CLAIMS OF OHIO**

**VICTIMS OF CRIME DIVISION**

IN RE: JONZELL RENTER : Claim No. V2001-31619

CANDACE RENTER : DECISION

DEBORAH HATTEN : Judge Fred J. Shoemaker

JANNELL BURKS :

SHERI RENTER :

Applicants :  
(V2000-49981)

: : : : : :

{¶1} This matter came on to be considered upon Jannell Burks' appeal from the January 31, 2003, order issued by the panel of commissioners. The panel's determination affirmed the final decision of the Attorney General, which granted awards of reparations representing dependent's economic loss to the victim's minor children. In a prior decision, the Attorney General had granted applicant's, Jannell Burks, claim for funeral expense.

{¶2} R.C. 2743.52(A) places the burden of proof on an applicant to satisfy the Court of Claims Commissioners that the requirements for an award have been met by a preponderance of the evidence. *In re Rios* (1983), 8 Ohio Misc.2d 4, 8 OBR 63, 455 N.E.2d 1374. The panel found, upon review of the evidence, that the Attorney General's September 6, 2002, decision should be affirmed.

{¶3} The standard for reviewing claims that are appealed to the court is established by

R.C. 2743.61(C), which provides in pertinent part: “If upon hearing and consideration of the record and evidence, the judge decides that the decision of the panel of commissioners is unreasonable or unlawful, the judge shall reverse and vacate the decision or modify it and enter judgment on the claim. The decision of the judge of the court of claims is final.”

{¶4} Neither Jannell Burks nor anyone on her behalf attended the hearing. Upon review of the file in this matter, the court finds that the panel of commissioners was not arbitrary in finding that the Attorney General’s determination should be affirmed.

{¶5} Based on the evidence and R.C. 2743.61, it is the court’s opinion that the decision of the panel of commissioners was reasonable and lawful. Therefore, this court affirms the decision of the three-commissioner panel, and hereby denies Jannell Burks’ claim for an additional award of reparations.

{¶6} Upon review of the evidence, the court finds the order of the panel of commissioners must be affirmed and Jannell Burks’ appeal must be denied.

{¶7} IT IS HEREBY ORDERED THAT:

{¶8} 1) The order of January 31, 2003, (Jr. Vol. 2248, Pages 193-194) is approved, affirmed and adopted;

{¶9} 2) This claim is DENIED and judgment entered for the State of Ohio;

{¶10} 3) Costs assumed by the reparations fund.

FRED J. SHOEMAKER  
Judge