

[Cite as *Jackson v. Lebanon Correctional Inst.*, 2003-Ohio-4296.]

IN THE COURT OF CLAIMS OF OHIO

ALTAA JACKSON :
Plaintiff :
v. : CASE NO. 2003-06093-AD
LEBANON CORR. INST. : MEMORANDUM DECISION
Defendant :

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

{¶1} THE COURT FINDS THAT:

{¶2} 1) On May 22, 2003, plaintiff, Altaa Jackson, filed a complaint against defendant, Lebanon Correctional Institution, alleging defendant's personnel lost his property items. Plaintiff seeks damages in the amount of \$123.15, for property loss. Plaintiff submitted the filing fee with his complaint;

{¶3} 2) On June 25, 2003, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$123.15 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 \$123.15, 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, for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of plaintiff in the amount of \$148.15, which includes the filing fee. Court costs are assessed against defendant. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Altaa Jackson, #307-939
P.O. Box 56, St. Rt. 63
Lebanon, Ohio 45036

Plaintiff, Pro se

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

For Defendant

RDK/laa
7/17
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