

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

IN RE: NICK L. LOPEZ	:	Case No. V2003-40119
NICK L. LOPEZ	:	<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 May 21, 2003 at 10:15 A.M. upon the applicant's February 20, 2003 appeal from the February 12, 2003 Final Decision of the Attorney General.

{¶2} Originally, the Attorney General denied the applicant's claim based upon information that the applicant had engaged in substantial contributory misconduct. The Attorney General asserted the applicant inappropriately touched the alleged offender's mother. On reconsideration, the Attorney General modified his previous decision and granted the applicant an award in the amount of \$2,626.41. However, the Attorney General denied reimbursement for certain medical items pursuant to R.C. 2743.60(D) contending that the applicant had Medicaid coverage. The Attorney General also denied the claim for eyeglass reimbursement as unverifiable. The applicant appealed the Final Decision contending that he is owed additional reimbursement for eyewear.

{¶3} Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented brief comments for this panel's consideration. The Assistant Attorney General stated that on March 25, 2003 the Attorney General issued a Supplemental Finding of Fact and Decision that granted the applicant an award in the amount of \$326.83 that covers the applicant's eyewear claim.

{¶4} From review of the file and with full consideration given to all the information presented at the hearing, this panel finds the February 12, 2003 decision of the Attorney General shall be affirmed.

{¶5} IT IS THEREFORE ORDERED THAT

{¶6} 1) The February 12, 2003 decision of the Attorney General is AFFIRMED;

{¶7} 2) This claim is remanded to the Attorney General for payment of the \$2,626.41 award;

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

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

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JAMES H. HEWITT III  
Commissioner

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LEO P. MORLEY  
Commissioner

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KARL H. SCHNEIDER  
Commissioner

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