

**IN THE COURT OF CLAIMS OF OHIO**

**VICTIMS OF CRIME DIVISION**

IN RE: DEBRA L. MC CARTNEY	:	Case No. V2003-40381
DEBRA L. MC CARTNEY	:	<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 July 23, 2003 at 11:10 A.M. upon the applicant's May 1, 2003 appeal from the April 25, 2003 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(E) based upon evidence that the applicant was convicted of a felony within ten years of the criminally injurious conduct. The Attorney General stated that the applicant was convicted of two counts of trafficking in cocaine, both fifth degree felonies, in October 2000. 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 presented a brief statement for this panel's consideration. The Assistant Attorney General stated that, based upon the applicant's felony convictions within ten years of the criminally injurious conduct, the claim must be denied pursuant to R.C. 2743.60(E).

{¶4} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find the April 25, 2003 decision of the Attorney General shall be affirmed.

{¶5} IT IS THEREFORE ORDERED THAT

{¶6} 1) The April 25, 2003 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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KARL H. SCHNEIDER  
Commissioner

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LEO P. MORLEY  
Commissioner

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JAMES H. HEWITT III  
Commissioner