

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION

IN RE: STEVEN MIMS	:	Case No. V2003-40402
STEVEN MIMS	:	<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 24, 2003 at 10:45 A.M. upon the applicant's April 25, 2003 appeal from the April 14, 2003 Final Decision of the Attorney General.

{¶2} The Attorney General denied the claim pursuant to R.C. 2743.60(D) contending that all the applicant's economic loss has been or may be recouped from Medicaid and Medicare. The Attorney General denied the replacement services loss claim asserting that the applicant failed to submit proof of such loss. The applicant appealed the Attorney General's Final Decision.

{¶3} Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented an exhibit and brief comments for this panel's consideration. The Assistant Attorney General advised the panel that she spoke to the *pro se* applicant on June 11, 2003. The Assistant Attorney General stated that the applicant informed her that he still owes certain providers. However, at the time, he was unable to state

which providers he actually owed. The Assistant Attorney General introduced Exhibit 1 which suggests that Medicare and Medicaid have paid all the applicant's medical bills in full. The Assistant Attorney General stated that, if the applicant obtains proof of additional economic loss, the applicant may file a supplemental compensation application. Accordingly, the Assistant Attorney General requested the panel affirm the Attorney General's Final Decision pursuant to R.C. 2743.60(D).

{¶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 14, 2003 decision of the Attorney General shall be affirmed without prejudice.

{¶5} IT IS THEREFORE ORDERED THAT

{¶6} 1) The April 14, 2003 decision of the Attorney General is AFFIRMED without prejudice;

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

{¶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.

KARL H. SCHNEIDER
Commissioner

LEO P. MORLEY
Commissioner

ID #\1-dld-tad-080703
Filed 9-19-2003
Jr. Vol. 2251, Pgs. 58-59
To S.C. Reporter 10-16-2003

JAMES H. HEWITT III
Commissioner