

[Cite as *Slaven v. Marion Correctional Inst.*, 2003-Ohio-6028.]

IN THE COURT OF CLAIMS OF OHIO

JIM SLAVEN

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Plaintiff

□

V.

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CASE NO. 2003-06786-AD

MARION CORRECTIONAL

:

MEMORANDUM
DECISION

INSTITUTION, et al.

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Defendants

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{¶1} THE COURT FINDS THAT:

{¶2} 1) On June 12, 2003, plaintiff, Jim Slaven, filed a complaint against defendants, Marion and Warren Correctional Institutions, alleging his personal property was damaged by defendants' personnel. Plaintiff seeks damages in the amount of \$218.88 for property loss. Plaintiff submitted the filing fee on September 11, 2003;

{¶3} 2) On September 23, 2003, defendants filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$218.88 for property loss.

{¶4} THE COURT CONCLUDES THAT:

{¶5} 1) I find, by a preponderance of the evidence, negligence by defendants 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 \$218.88, 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 \$243.88, which includes the filing fee. Court costs are assessed against defendants. 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:

Jim Slaven, #370-416
P.O. Box 57
Marion, Ohio 43301

Plaintiff, Pro se

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For Defendant

RDK/laa
10/7
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