

[Cite as *Arlia v. Ohio State Highway Patrol*, 2003-Ohio-6600.]

IN THE COURT OF CLAIMS OF OHIO

MARIBETH ARLIA	:	
Plaintiff	:	
v.	:	CASE NO. 2003-10015-AD
OHIO STATE HIGHWAY PATROL	:	<u>MEMORANDUM DECISION</u>
Defendant	:	

: : : : : : : : : : :

{¶1} THE COURT FINDS THAT:

{¶2} 1) On September 25, 2003, plaintiff, Maribeth Arlia, filed a complaint against defendant, Ohio State Highway Patrol, alleging her automobile was damaged as a proximate cause of negligence on the part of defendant's employees. Plaintiff seeks damages in the amount of \$282.67 for automotive repair. Plaintiff submitted the filing fee with her complaint;

{¶3} 2) On October 24, 2003, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$282.67.

{¶4} 3) On October 30, 2003, plaintiff filed a response to defendant's investigation report.

{¶5} THE COURT CONCLUDES THAT:

{¶6} 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;

{¶7} 2) Plaintiff has suffered damages in the amount of \$282.67, 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.

{¶8} 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 \$307.67, 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:

Maribeth Arlia  
323 Bell Blvd.  
Weirton, West Virginia 26062

Plaintiff, Pro se

Colonel Paul D. McClellan  
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For Defendant

DRB/RDK/laa  
11/6  
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