

[Cite as *In re Handrich*, 2003-Ohio-7094.]

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION

IN RE: TAMARA HANDRICH	:	Case No. V2003-40640
MARSHA L. GLEATON	:	<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 September 24, 2003 at 10:45 A.M. upon the applicant's September 17, 2002 appeal of the August 28, 2002 decision of the Attorney General. The applicant filed the appeal with the Attorney General's Office however, the court did not receive notice of the appeal until June 27, 2003.

{¶2} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to the August 19, 2001 murder of her daughter, TaMara Handrick. The Attorney General denied the applicant's claim pursuant to R.C. 2743.60(F) contending that the victim engaged in substantial contributory misconduct since she tested positive for cocaine on the corners' toxicology evaluation. The applicant appealed the Attorney General's Final Decision asserting that the victim did not knowingly and voluntarily ingest the drug.

{¶3} Neither the applicant nor anyone on her behalf appeared at the hearing. An Assistant Attorney General attended the hearing and briefly summarized the case and her position to deny the claim. The panel chairman concluded the hearing.

{¶4} From review of the filed and with full and careful consideration given to all the information presented at the hearing, we find that the August 28, 2002 decision of the Attorney General shall be affirmed.

{¶5} IT IS THEREFORE ORDERED THAT

{¶6} 1) The August 28, 2002 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.

KARL H. SCHNEIDER
Commissioner

LEO P. MORLEY
Commissioner

JAMES H. HEWITT III
Commissioner

ID #\1-DLD-ndw-31016

A copy of the foregoing was personally served upon the Attorney General and sent by regular mail to Tuscarawas County Prosecuting Attorney and to:

Filed 11-17-2003
Jr. Vol. 2251, Pgs. 198-199
To S.C. Reporter 12-24-2003

