

[Cite as *Tiedge v. Ohio Dept. of Natural Resources*, 2003-Ohio-7143.]

IN THE COURT OF CLAIMS OF OHIO

VERNON L. TIEDGE	:	
Plaintiff	:	
v.	:	CASE NO. 2003-10112-AD
DEPARTMENT OF NATURAL RESOURCES	:	<u>MEMORANDUM DECISION</u>
Defendant	:	
	:	
	:	

{¶1} THE COURT FINDS THAT:

{¶2} 1) On September 26, 2003, plaintiff, Vernon L. Tiedge, filed a complaint against defendant, Department of Natural Resources, alleging his truck was damaged by a fallen tree while parked on defendant’s premises. Plaintiff seeks damages in the amount of \$1,000.00. Plaintiff submitted the filing fee with his complaint;

{¶3} 2) On November 24, 2003, defendant filed an investigation report admitting liability for plaintiff’s property damage.

{¶4} THE COURT CONCLUDES THAT:

{¶5} 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;

{¶6} 2) Plaintiff has suffered damages in the amount of \$1,000.00, 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 \$1,025.00, 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:

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Plaintiff, Pro se

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For Defendant

RDK/laa
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