

[Cite as *In re Franko*, 2003-Ohio-7327.]

**IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION**

IN RE: JOHN T. FRANKO	:	Case No. V2003-40739
JOHN T. FRANKO	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
	: : : : :	

The applicant filed a reparations application seeking reimbursement of expenses incurred in relation to an October 2, 2002 incident. The applicant, a police officer, sustained injury while apprehending a suspect. On February 27, 2003, the Attorney General issued a Finding of Fact and Decision granting the applicant an award in the amount of \$324.97 for unreimbursed work loss incurred from October 2, 2002 through October 27, 2002. On March 10, 2003, the applicant filed a request for reconsideration. On July 9, 2003, the Attorney General filed a Final Decision granting the applicant a modified award for a total amount of \$428.80 for unreimbursed work loss incurred from October 2, 2002 through October 27, 2002. On July 25, 2003, the applicant appealed the Attorney General's Final Decision asserting that he is owed additional work loss. This appeal came to be heard before this panel of three commissioners on October 23, 2003 at 11:00 A.M.

Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented brief comments for this panel's consideration. The Assistant Attorney General recommended the applicant be granted an award

in the amount of \$436.14, as noted in the Attorney General's Brief. The Assistant Attorney General stated that the new figure includes additional work loss after deducting appropriate taxes. After a brief discussion of the claim, the panel chairman concluded the hearing.

From review of the file and with full consideration given to the information presented at the hearing, this panel finds the July 9, 2003 decision of the Attorney General shall be modified to grant the applicant a total work loss award in the amount of \$436.14.

IT IS THEREFORE ORDERED THAT

"1) The July 9, 2003 decision of the Attorney General is MODIFIED to render judgment in favor of the applicant in the amount of \$436.14;

"2) This claim is referred to the Attorney General pursuant to R.C. 2743.191 for payment of the award;

"3) This order is entered without prejudice to the applicant's right to file a supplemental compensation application pursuant to R.C. 2743.68;

"4) Costs are assumed by the court of claims victims of crime fund.

JAMES H. HEWITT III
Commissioner

LEO P. MORLEY
Commissioner

KARL H. SCHNEIDER
Commissioner