

**IN THE COURT OF CLAIMS OF OHIO**

**VICTIMS OF CRIME DIVISION**

IN RE: DIANE M. GARRISON	:	Case No. V2003-40976
DIANE M. GARRISON	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶1} The applicant filed a reparations application seeking reimbursement for expenses incurred in relation to an October 11, 2002 assault. On June 25, 2003, the Attorney General issued a Finding of Fact and Decision denying the claim contending that the applicant failed to file a timely police report or show good cause for the delay. On July 22, 2003, the applicant filed a request for reconsideration. On September 3, 2003, the Attorney General issued a Final Decision granting the applicant an award of reparations in the amount of \$989.89 of which \$283.16 represented allowable expense and \$706.73 represented work loss incurred from October 28, 2002 through November 1, 2002. However, the Attorney General denied certain medical expenses pursuant to R.C. 2743.60(D) since the applicant had insurance coverage with Medical Mutual. On October 2, 2003, the applicant filed an appeal of the Attorney General's Final Decision. Hence, this matter came to be heard before this panel of three commissioners on December 17, 2003 at 10:55 A.M.

{¶2} Neither the applicant nor anyone on her behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. After a brief discussion of the case, the panel chairman concluded the hearing.

{¶3} From review of the file, this panel finds the September 3, 2003 decision of the Attorney General shall be affirmed. Should the applicant obtain verifiable proof of additional economic loss that would be an appropriate basis for filing a supplemental compensation application.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The September 3, 2003 decision of the Attorney General is AFFIRMED;

{¶6} 2) This claim is remanded to the Attorney General for payment of the award pursuant to R.C. 2743.191;

{¶7} 3) This order is entered without prejudice to the applicant's right to file a supplemental compensation application, within five years of this order, pursuant to R.C. 2743.68;

{¶8} 4) Costs are assumed by the court of claims victims of crime fund.

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JAMES H. HEWITT III  
Commissioner

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LEO P. MORLEY  
Commissioner

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ORDER

Filed 2-5-2004

Jr. Vol. 2252, Pgs. 144-145

To S.C. Reporter 3-10-2004

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KARL H. SCHNEIDER  
Commissioner

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