

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

IN RE: STEVEN P. POWELL	:	Case No. V2003-41000
STEVEN P. POWELL	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶1} On April 16, 2003, the applicant filed a reparations application seeking reimbursement for expenses incurred with respect to an October 18, 2000 assault. On August 1, 2003, the Attorney General issued a Finding of Fact and Decision denying the claim pursuant to R.C. 2743.56(B) and R.C. 2743.60(A) contending that the applicant failed to file a reparations application within two years of the criminally injurious conduct. On August 18, 2003, the applicant filed a request for reconsideration. On August 25, 2003, the Attorney General issued a Final Decision denying the claim once again. On October 1, 2003, the applicant filed a notice of appeal to the Attorney General's Final Decision asserting that he promptly mailed his reparations application, even though it was not timely received by the Attorney General. Hence, this matter came to be heard before this panel of three commissioners on December 17, 2003 at 11:00 A.M.

{¶2} Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and briefly reiterated her position for denying

the claim pursuant to R.C. 2743.56(B) and R.C. 2743.60(A). The panel chairman concluded the hearing.

{¶3} From review of the file, this panel finds the August 25, 2003 decision of the Attorney General shall be affirmed.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The August 25, 2003 decision of the Attorney General is AFFIRMED;

{¶6} 2) This claim is DENIED and judgment is entered for the state of Ohio;

{¶7} 3) 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