

[Cite as *Beavers v. Ross Correctional Inst.*, 2004-Ohio-207.]

IN THE COURT OF CLAIMS OF OHIO

REUBIN J. BEAVERS, et al. :

Plaintiffs :

v. : CASE NO. 2003-10562-AD

ROSS CORRECTIONAL : MEMORANDUM DECISION  
INSTITUTION

Defendant .....

**{¶1} THE COURT FINDS THAT:**

{¶2} 1) On October 14, 2003, plaintiffs, Reubin J. and Novella Beavers, filed a complaint against defendant, Ross Correctional Institution, alleging defendant's negligence caused the loss of a \$50.00 money order. Plaintiffs seek damages in the amount of \$50.00, plus the \$25.00 filing fee;

{¶3} 2) On December 4, 2003, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$50.00;

{¶4} 3) On October 14, 2003, plaintiffs submitted the filing fee;

{¶5} 4) On December 15, 2003, plaintiff, Reubin J. Beavers, filed a response to defendant's investigation report.

{¶6} THE COURT CONCLUDES THAT:

{¶7} 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;

{¶8} 2) Plaintiffs have suffered damages in the amount of \$50.00, 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.

{¶9} 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, Reubin J. Beavers, in the amount of \$75.00. 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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DRB/laa  
1/13  
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