

IN THE COURT OF CLAIMS OF OHIO

DERRICK LAWRENCE :  
Plaintiff :  
v. : CASE NO. 2004-03781-AD  
PICKAWAY CORRECTIONAL INST. : MEMORANDUM DECISION  
Defendant :

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{¶1} THE COURT FINDS THAT:

{¶2} 1) On March 25, 2004, plaintiff, Derrick Lawrence, filed a complaint against defendant, Pickaway Correctional Institution, alleging his wedding ring was lost or stolen while under defendant's control. Plaintiff seeks damages in the amount of \$185.00 for property loss. Plaintiff submitted the filing fee with his complaint;

{¶3} 2) On March 25, 2004, defendant filed an investigation report admitting liability, but asserting plaintiff's property loss damage actually amounts to \$125.

{¶4} THE COURT CONCLUDES THAT:

{¶5} 1) In respect to the loss of his wedding band plaintiff has proven, by a preponderance of the evidence, negligence on the part of defendant. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD;

{¶6} 2) As trier of fact, this court has the power to award reasonable damages based on evidence presented. *Sims v. Southern Ohio Correctional Facility* (1988), 61 Ohio Misc. 2d 239;

{¶7} 3) A plaintiff is competent to testify with respect to the true value of his property. *Gaiter v. Lima Correctional Facility* (1988), 61 Ohio Mic. 2d 293.;

{¶8} 4) The court finds defendant liable to plaintiff in the amount of \$185.00, plus the \$25 filing fee, which may be reimbursed as compensable damages pursuant to the holding in *Bailey v. Ohio Dept. of Rehab. & Corr.* (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 in the amount of \$210, which includes the filing fee. The court shall absorb the court costs of this case. 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:

Derrick Lawrence, #451-776  
P.O. Box 209  
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Plaintiff, Pro se

William A. Tanner, Warden  
Pickaway Correctional Institution  
P.O. Box 209  
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For Defendant