

[Cite as *May v. Montgomery Edn. & Pre-Release Ctr.*, 2004-Ohio-4136.]

IN THE COURT OF CLAIMS OF OHIO

WANDA F. MAY

•

Plaintiff

•

v.

:

CASE NO. 2004-04736-AD

MONTGOMERY EDUCATION AND  
PRE-RELEASE

•

MEMORANDUM DECISION

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Defendant

.....

**{¶1} THE COURT FINDS THAT:**

{¶2} 1) On April 16, 2004, plaintiff, Wanda F. May, filed a complaint against defendant, Montgomery Education and Pre-Release Center alleging her automobile was damaged while parked on defendant's premises. Plaintiff seeks damages in the amount of \$188.13 for automotive repair costs. Plaintiff submitted the filing fee on May 13, 2004;

{¶3} 2) On May 26, 2004, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$188.13.

**{¶4}** THE COURT CONCLUDES THAT:

{¶5} 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;

{¶6} 2) Plaintiff has suffered damages in the amount of

\$188.13, 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.

{¶7} 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 \$213.13, which includes the filing fee. 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:

Wanda F. May  
316 W. Parkwood Avenue  
Springfield, Ohio 45506

Plaintiff, Pro se

Gregory C. Trout, Chief Counsel  
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For Defendant

RDK/laa  
6/30  
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