

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION

IN RE: JUDITH A. STUMPF	:	Case No. V2004-60032
JUDITH A. STUMPF	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
<hr style="width: 50%; margin-left: 0;"/>		
: : : : :		

{¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a November 17, 2002 robbery incident. On November 25, 2003, the Attorney General denied the victim's claim pursuant to R.C. 2743.60(E)(4) contending that the victim was convicted of domestic violence on August 11, 2003, which is during the pendency of the claim. On December 10, 2003, the applicant filed a request for reconsideration. On January 7, 2004, the Attorney General denied the claim once again. On January 13, 2004, the applicant filed a notice of appeal to the Attorney General's January 7, 2004 Final Decision. Hence, this matter came to be heard before this panel of three commissioners on April 7, 2004 at 10:30 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. The Assistant Attorney General maintained that the victim's claim must be denied pursuant to R.C. 2743.60(E)(4) since the victim was convicted of domestic violence during the pendency of the claim.

{¶3} R.C. 2743.60(E)(4) states:

{¶4} (E) The attorney general, a panel of commissioners, or a judge of the court of claims shall not make an award to a claimant if any of the following applies:

{¶5} (4) The claimant was convicted of a violation of section 2919.22 or 2919.25 of the Revised Code, or of any state law or municipal ordinance substantially similar to either section, within ten years prior to the criminally injurious conduct that gave rise to the claim or during the pendency of the claim.

{¶6} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find that the January 7, 2004 Final Decision of the Attorney General shall be affirmed pursuant to R.C. 2743.60(E)(4).

{¶7} IT IS THEREFORE ORDERED THAT

{¶8} The January 7, 2004 decision of the Attorney General is AFFIRMED;

{¶9} This claim is DENIED and judgment is rendered in favor of the state of Ohio;

{¶10} Costs are assumed by the court of claims victims of crime fund.

THOMAS H. BAINBRIDGE
Commissioner

CLARK B. WEAVER, SR.
Commissioner

STEVEN A. LARSON
Commissioner

A copy of the foregoing was personally served upon the Attorney General and sent by regular mail to Huron County Prosecuting Attorney and to:

Filed 6-1-2004
Jr. Vol. 2253, Pgs. 172-174
To S.C. Reporter 8-10-2004