

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

IN RE: MICHAEL P. CORE	:	Case No. V2003-40666
MICHAEL P. CORE	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a September 10, 2001 assault and robbery incident. On January 2, 2003, the Attorney General granted the applicant an award of reparations in the amount of \$2,406.08. However, the Attorney General denied reimbursement for work loss and certain allowable expense items. On January 31, 2003, the applicant filed a request for reconsideration seeking commission work loss. On June 2, 2003, the Attorney General denied the applicant's claim for commission work loss. On July 1, 2003, the applicant filed a notice of appeal from the Attorney General's June 2, 2003 Final Decision. On March 3, 2004, a panel of commissioners held a final determination in abeyance, ordered the Attorney General to file a supplemental memorandum, and continued the hearing. On April 2, 2004, the Attorney General filed a Supplemental Memorandum indicating that the applicant incurred \$29,591.51 in unreimbursed commission work loss. Hence, this matter came to be reheard before this panel of three commissioners on April 22, 2004 at 10:40 A.M.

{¶2} Applicant's counsel and an Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. Applicant's counsel indicated that she agreed with the Attorney General's recommendation, as stated in his April 2, 2004 Supplemental Memorandum. The panel chairman concluded the hearing.

{¶3} From review of the file and with full and careful consideration given to all the evidence presented at the hearings, this panel makes the following determination. We find that the applicant incurred unreimbursed work loss in the amount of \$29,591.51. Therefore, the June 2, 2003 decision of the Attorney General shall be reversed to award \$29,591.51 to the applicant as unreimbursed work loss.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} The June 2, 2003 decision of the Attorney General is REVERSED to render judgment in favor of the applicant in the amount of \$29,591.51;

{¶6} This claim is referred to the Attorney General pursuant to R.C. 2743.191 for payment of the award;

{¶7} This order is entered without prejudice to the applicant's right to file a supplemental compensation application, within five years of this order, pursuant to R.C. 2743.68;

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

KARL H. SCHNEIDER
Commissioner

LEO P. MORLEY
Commissioner

ROBERT B. BELZ
Commissioner

ID #\12-dld-tad-4510

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

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To S.C. Reporter 8-10-2004