

[Cite as *In re Lamp*, 2004-Ohio-4617.]

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION

IN RE: JAMES A. LAMP	:	Case No. V2004-60245
JAMES A. LAMP	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
	: : : : :	

{¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a July 13, 2003 assault incident. On October 22, 2003, the Attorney General denied the applicant's claim pursuant to R.C. 2743.52(A) asserting that the applicant failed to prove he was a victim of criminally injurious conduct, since there is evidence that the alleged offender acted in self-defense. The Attorney General also denied the applicant's claim pursuant to R.C. 2743.60(F) contending that the applicant engaged in substantial contributory misconduct since there is evidence that the applicant initiated the fight. On November 18, 2003, the applicant filed a request for reconsideration. On February 13, 2004, the Attorney General denied the applicant's claim once again. On March 9, 2004, the applicant filed an appeal of the Attorney General's February 13, 2004 Final Decision. Hence, this matter came to be heard before this panel of three commissioners on June 3, 2004 at 11:05 A.M.

{¶2} Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and stated that she rests on her April 26, 2004 Brief and documents contained in the file. The panel chairman concluded the hearing.

{¶3} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find that the February 13, 2004 decision of the Attorney General shall be affirmed.

{¶4} IT IS THEREFORE ORDERED THAT

- 1) The February 13, 2004 decision of the Attorney General is AFFIRMED;
- 2) This claim is DENIED and judgment is rendered in favor of the state of Ohio;
- 3) Costs are assumed by the court of claims victims of crime fund.

CLARK B. WEAVER, SR.
Commissioner

THOMAS H. BAINBRIDGE
Commissioner

STEVEN A. LARSON
Commissioner

ID #\1-dld-tad-062304

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

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To S.C. Reporter 8-26-2004