

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

IN RE: TONYA M. ANDERSON	:	Case No. V2004-61110
TONYA M. ANDERSON	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
	: : : : :	

{¶1} On June 17, 2004, the applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a February 13, 2000 assault incident. On September 20, 2004, the Attorney General denied the applicant's claim pursuant to R.C. 2743.56(B), R.C. 2743.60(B), and R.C. 2743.52(A). The Attorney General stated that the applicant failed to prove she was a victim of criminally injurious conduct, failed to file a police report concerning the alleged incident, and failed to file a reparations application within two years of the alleged incident. On October 1, 2004, the applicant filed a request for reconsideration. On October 29, 2004, the Attorney General denied the claim once again. On November 10, 2004, the applicant filed a notice of appeal to the Attorney General's October 29, 2004 Final Decision. Hence, this matter came to be heard before this panel of three commissioners on January 27, 2005 at 11:30 A.M.

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

{¶3} From review of the file and with full consideration given to the evidence presented at the hearing, we find that the October 29, 2004 decision of the Attorney General shall be affirmed.

{¶4} IT IS THEREFORE ORDERED THAT

- {¶5} 1) The October 29, 2004 decision of the Attorney General is AFFIRMED;
- {¶6} 2) This claim is denied and judgment is entered for the state of Ohio;
- {¶7} 3) Costs are assumed by the court of claims victims of crime fund.

GREGORY P. BARWELL
Commissioner

JAMES H. HEWITT III
Commissioner

THOMAS H. BAINBRIDGE
Commissioner

ID #\1-dld-tad-020105

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

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To S.C. Reporter 4-29-2005