

[Cite as *In re Leonard*, 2005-Ohio-5678.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

www.cco.state.oh.us

IN RE: DENNIS J. LEONARD	:	Case No. V2005-80371
DENNIS J. LEONARD	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
<hr/>		
	: : : : :	

{¶ 1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a June 29, 2004 assault and robbery incident. On November 19, 2004, the Attorney General denied the claim pursuant to R.C. 2743.52(A) contending that the applicant failed to prove he incurred economic loss as a result of the criminally injurious conduct. On November 29, 2004, the applicant filed a request for reconsideration. On April 6, 2005, the Attorney General granted the applicant an award in the amount of \$4,601.96, of which \$4,110.15 represented allowable expense and \$491.81 represented work loss sustained between June 29, 2004 and July 9, 2004. On May 16, 2005, the applicant filed a notice of appeal to the Attorney General's April 6, 2005 Final Decision contending that he incurred additional economic loss. Hence, this matter came to be heard before this panel of three commissioners on August 10, 2005 at 11:15 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 the applicant has been

reimbursed all economic loss. The Assistant Attorney General indicated that the applicant may file a supplemental compensation application if he seeks additional economic loss reimbursement.

{¶ 3} From review of the file, we find that the April 6, 2005 decision of the Attorney General shall be affirmed without prejudice. Should the applicant obtain evidence that he incurred additional economic loss that would be an appropriate basis for filing a supplemental compensation application.

IT IS THEREFORE ORDERED THAT

- 1) The April 6, 2005 decision of the Attorney General is AFFIRMED without prejudice;
- 2) This claim is remanded to the Attorney General for payment of the award;
- 3) 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;
- 4) Costs are assumed by the court of claims victims of crime fund.

THOMAS H. BAINBRIDGE
Commissioner

CLARK B. WEAVER, SR.
Commissioner

RANDI OSTRY LE HOTY
Commissioner

[Cite as *In re Leonard*, 2005-Ohio-5678.]

ID #\1-dld-tad-081205

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

Filed 9-30-2005

Jr. Vol. 2258, Pgs. 117-118

To S.C. Reporter 10-25-2005

