

[Cite as *In re Misiukavets*, 2005-Ohio-6644.]

**IN THE COURT OF CLAIMS OF OHIO**

**VICTIMS OF CRIME DIVISION**

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IN RE: ALIAKSANDR P. MISIUKAVETS	:	Case No. V2005-80134
ALIAKSANDR P. MISIUKAVETS	:	<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 an August 29, 2003 assault incident. On June 11, 2004, the Attorney General originally denied the claim contending that the applicant was not an Ohio resident. On December 17, 2004, the applicant filed a request for reconsideration along with his Ohio driver's license and social security card. On February 22, 2005, the Attorney General modified his previous decision and granted the applicant an award in the amount of \$747.29 for unreimbursed allowable expense. On March 21, 2005, the applicant filed a notice of appeal to the Attorney General's February 22, 2005 Final Decision. On October 14, 2005, the Attorney General filed a Supplemental Memorandum indicating that the applicant incurred \$9,611.61 in unreimbursed allowable expense. On October 25, 2005, the applicant's attorney filed a Reply Memorandum indicating that he agrees with the Attorney General's award recommendation. Counsel also noted that any other expenses will be addressed in a supplemental compensation application. Hence, this matter was heard before this panel of three commissioners on November 2, 2005 at 10:45 A.M.

{¶ 2} Neither the applicant nor anyone on his 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 stated that she recommends the applicant be granted an award in the amount of \$9,611.61 as noted in the October 14, 2005 Supplemental Memorandum. Applicant's counsel filed a Reply Memorandum agreeing with the Attorney General's recommendation.

{¶ 3} From review of the file and with full consideration given to all the information presented at the hearing, we find that the applicant incurred allowable expense in the amount of \$9,611.61. Therefore, the February 22, 2005 decision of the Attorney General shall be modified and the applicant shall be granted an award in the amount of \$9,611.61 for unreimbursed allowable expense.

{¶ 4} IT IS THEREFORE ORDERED THAT

- 1) The February 22, 2005 decision of the Attorney General is MODIFIED to render judgment in favor of the applicant in the amount of \$9,611.61;
- 2) This claim is referred to the Attorney General pursuant to R.C. 2743.191 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.

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CLARK B. WEAVER, SR.  
Commissioner

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THOMAS H. BAINBRIDGE  
Commissioner

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LLOYD PIERRE-LOUIS  
Commissioner

ID #\9-dld-tad-110105

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

Filed 11-10-2005  
Jr. Vol. 2258, Pgs. 187-189  
To S.C. Reporter 12-15-2005

