

[Cite as *In re Saul*, 2005-Ohio-7129.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

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| IN RE: VICKY S. SAUL | : | Case No. V2005-80606 |
| VICKY S. SAUL | : | <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 as a result of an October 24, 2004 assault incident. On April 11, 2005, the Attorney General granted the applicant an award in the amount of \$690.00 for unreimbursed allowable expense. On April 21, 2005, the applicant filed a request for reconsideration. On August 22, 2005, the Attorney General granted the applicant an additional award in the amount of \$5,427.28, of which \$2,148.36 represented allowable expense and \$3,278.92 represented work loss incurred from November 1, 2004 through April 30, 2005. On September 6, 2005, the applicant filed a notice of appeal to the Attorney General's August 22, 2005 Final Decision.¹ Hence, this matter was heard by this panel of three commissioners on November 16, 2005 at 10:55 A.M.

{¶ 2} The applicant, applicant's counsel, and an Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. The Assistant Attorney General indicated that new economic loss calculations were performed and the applicant has

¹On October 17, 2005, the Attorney General filed a Brief recommending the claim be remanded to the Attorney General for economic loss calculations and decision or that the panel issue an order with respect to the new economic loss calculations.

incurred additional economic loss. The applicant's attorney agreed 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, this panel makes the following determination. Based upon the Attorney General's October 12, 2005 Appeal Summary Memorandum, (which is continued in the Attorney General's October 17, 2005 Brief) we find that the applicant incurred additional economic loss in the amount of \$1,143.79, of which \$91.58 represents allowable expense (mileage) and \$1,052.21 represents work loss incurred from May 1, 2005 through June 26, 2005. Therefore, the August 22, 2005 decision of the Attorney General shall be modified to grant the applicant an award in the amount of \$6,571.07, of which \$2,239.94 represents allowable expense and \$4,331.13 represents work loss incurred from November 1, 2004 through June 26, 2005.

IT IS THEREFORE ORDERED THAT

- 1) The August 22, 2005 decision of the Attorney General is MODIFIED to render judgment in favor of the applicant in the amount of \$6,571.07;
- 2) This claim is referred 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.

GREGORY P. BARWELL
Commissioner

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JAMES H. HEWITT III
Commissioner

TIM MC CORMACK
Commissioner

ID #\2-dld-tad-111605

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

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