

[Cite as *In re Jenkins*, 2006-Ohio-3938.]

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION
www.cco.state.oh.us

IN RE: LORENA JENKINS	:	Case No. V2005-80720
MARVIN JENKINS	:	<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 a November 6, 2004 vehicular manslaughter incident involving the applicant's deceased wife, Lorena Jenkins. On August 9, 2005, the Attorney General denied the claim pursuant to R.C. 2743.52(A) contending that the applicant failed to prove that the decedent qualifies as a victim of criminally injurious conduct under the motor vehicle exception. On August 19, 2005, the applicant filed a request for reconsideration. On October 20, 2005, the Attorney General denied the claim once again. On November 5, 2005, the applicant filed a notice of appeal to the Attorney General's Final Decision. Hence, this matter was heard before this panel of three commissioners on April 5, 2006 at 12:30 P.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 the March 27, 2006 Statement in Lieu of Brief. After a brief discussion of the claim, the panel chairperson 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 the October 20, 2005 decision of the Attorney General shall be affirmed.

IT IS THEREFORE ORDERED THAT

- 1) The October 20, 2005 decision of the Attorney General is AFFIRMED;
- 2) This claim is DENIED and judgment is rendered for the state of Ohio;
- 3) Costs are assumed by the court of claims victims of crime fund.

RANDI OSTRY LE HOTY
Commissioner

THOMAS H. BAINBRIDGE
Commissioner

TIM MC CORMACK
Commissioner

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

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