

[Cite as *In re Cooper*, 2006-Ohio-6317.]

**IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION**

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IN RE: CONNIE S. COOPER	:	Case No. V2005-80819
CONNIE S. COOPER	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶ 1} On March 3, 2005, the applicant filed a supplemental compensation application seeking reimbursement of additional expenses incurred as a result of witnessing the January 3, 2002 death of her husband who was killed by a drunk driver. On June 30, 2005, the Attorney General granted the applicant an award in the amount of \$9.84 for unreimbursed mileage expense, however the award was not paid to the applicant since the sum did not exceed \$50.00. On July 25, 2005, the applicant filed a request for reconsideration. On November 22, 2005, the Attorney General issued a Final Decision indicating that the previous decision warranted no modification. On December 7, 2005, the applicant filed a notice of appeal to the Attorney General's November 22, 2005 Final Decision. After a number of continuances and filings, the Attorney General filed a supplemental memorandum on August 4, 2006 recommending the applicant be granted a total economic loss award in the amount of \$6,654.44. On September 20, 2006 at 10:50 A.M., this matter came to be heard before this panel of three commissioners.

{¶ 2} The applicant's counsel and an Assistant Attorney General appeared at the hearing and presented brief comments for the panel's consideration. The Assistant Attorney General explained that after further review of the claim it appears that the applicant incurred additional economic loss in the amount of \$6,654.44, which is noted in her August 4, 2006 supplemental memorandum. Applicant's counsel raised no objection to the Attorney General's recommendation for payment. After a brief discussion of the claim, the panel chairman concluded the hearing.

{¶ 3} From review of the file and with full consideration given to all the information presented at the hearing, we make the following determination. We find that the applicant incurred \$6,654.44 in unreimbursed economic loss, of which \$9.84 represents mileage and \$6,644.60 represents work loss sustained from February 1, 2002 through July 31, 2006. Therefore, the November 22, 2005 decision of the Attorney General shall be reversed to grant the applicant an award in the amount of \$6,654.44 for unreimbursed economic loss.

IT IS THEREFORE ORDERED THAT

- 1) The November 22, 2005 decision of the Attorney General is REVERSED to render judgment in favor of the applicant in the amount of \$6,654.44;
- 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.

GREGORY P. BARWELL
Commissioner

JAMES H. HEWITT III
Commissioner

KARL C. KERSCHNER
Commissioner

ID #\7-dld-tad-092006

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

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To S.C. Reporter 11-29-2006