

[Cite as *In re Gardner*, 2006-Ohio-6836.]

**IN THE COURT OF CLAIMS OF OHIO**

**VICTIMS OF CRIME DIVISION**

www.cco.state.oh.us

IN RE: GWENDOLYN GARDNER	:	Case No. V2006-20569
GWENDOLYN GARDNER	:	<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 September 22, 2004 assault incident. On June 2, 2006, the Attorney General denied the applicant's claim pursuant to R.C. 2743.60(E) since the applicant was convicted of felony drug abuse on November 9, 1995, which is within ten years of the criminally injurious conduct. On June 9, 2006, the applicant filed a request for reconsideration. On June 15, 2006, the Attorney General determined that the previous decision warranted no modification. On June 22, 2006, the applicant filed a notice of appeal to the Attorney General's June 15, 2006 Final Decision. On September 21, 2006 at 10:35 A.M., this matter came to be heard before this panel of three commissioners.

{¶2} Neither the applicant nor anyone on her behalf appeared at the hearing. An Assistant Attorney General attended the hearing and reiterated her position for

denying the claim. After a brief discussion of the matter, the panel chairman 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 June 15, 2006 decision of the Attorney General shall be affirmed.

IT IS THEREFORE ORDERED THAT

- 1) The June 15, 2006 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.

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GREGORY P. BARWELL  
Commissioner

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JAMES H. HEWITT III  
Commissioner

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KARL C. KERSCHNER  
Commissioner

ID #\1-dld-tad-092706

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 11-9-2006

Jr. Vol. 2262, Pgs. 103-104

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To S.C. Reporter 12-22-2006

