

[Cite as *In re Robinson*, 2006-Ohio-6846.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

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IN RE: DIONIOUS W. ROBINSON	:	Case No. V2006-20691
LESLIE J. ROBINSON	:	Commissioners:
Applicant	:	Tim McCormack, Presiding
	:	Thomas H. Bainbridge
	:	Randi Ostry LeHoty
_____	:	
_____	:	<u>ORDER OF A THREE-</u>
	:	<u>COMMISSIONER PANEL</u>
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{¶1} The applicant filed a reparations application seeking reimbursement for funeral expenses incurred as the result of the August 20, 2005 murder of Dionious Robinson. On March 10, 2006, the Attorney General granted the applicant an award of reparations in the amount of \$1,620.00 for reimbursement of funeral expense pursuant to R.C. 2743.51(N)(1). On March 28, 2006, the applicant filed a request for reconsideration. The applicant asserted that since he was distraught over his son's death his brother actually paid the total funeral bill of \$6,000.00, however he has since reimbursed his brother. On May 19, 2006, the Attorney General determined that the previous decision warranted no modification. On July 18, 2006, the applicant filed a notice of appeal to the Attorney General's May 19, 2006 Final Decision. On September 6, 2006, the Attorney General filed a statement in lieu of brief, wherein the Attorney General revealed he had received a notarized statement from Bennie Robinson, the applicant's brother, indicating that the applicant had reimbursed him for the funeral

expense. Hence, this matter came to be heard before this panel of three commissioners on October 5, 2006 at 10:40 A.M.

{¶2} Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and stated she was satisfied the applicant had repaid Bennie Robinson for the funeral expenses. Accordingly, she recommended the applicant be granted an additional award of reparations in the amount of \$5,880.00.

{¶3} From review of the file and with full consideration given to all the information presented at the hearing, we find the applicant should be awarded an additional award of reparations in the amount of \$5,880.00 which represents reimbursement of funeral expense pursuant to R.C. 2743.51(N)(1).

IT IS THEREFORE ORDERED THAT

- 1) The May 19, 2006 decision of the Attorney General is MODIFIED and an additional judgment in favor of the applicant in the amount of \$5,880.00 is rendered;
- 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.

TIM MC CORMACK
Commissioner

RANDI OSTRY LE HOTY
Commissioner

THOMAS H. BAINBRIDGE
Commissioner

ID #1-DRB-tad-101706

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

Filed 11-30-2006
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To S.C. Reporter 12-22-2006