

[Cite as *In re Brown*, 2006-Ohio-7118.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

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IN RE: CRYSTAL L. BROWN	:	Case No. V2006-20712
CRYSTAL L. BROWN	:	Commissioners:
Applicant	:	James H. Hewitt III, Presiding
	:	Gregory P. Barwell
	:	Karl C. Kerschner
	:	
<hr/>	:	<u>ORDER OF A THREE-</u>
<hr/>	:	<u>COMMISSIONER PANEL</u>
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{¶1} This matter came to be heard before this panel of three commissioners on October 19, 2006 at 11:10 A.M. upon the applicant's July 21, 2006 appeal from the June 28, 2006 Final Decision of the Attorney General.

{¶2} The Attorney General denied the applicant an award of reparations pursuant to R.C. 2743.60(E)(1) based upon evidence that the applicant was convicted of a felony within ten years of the criminally injurious conduct. Information in the file reveals the applicant was convicted of gross sexual imposition, a third degree felony on July 1, 1996. The applicant was a victim of domestic violence on November 6, 2005. On reconsideration, the Attorney General determined that no modification of the previous decision was warranted in light of the applicant's July 1, 1996 felony conviction. The applicant appealed the Final Decision of the Attorney General.

{¶3} Neither the applicant nor anyone on her behalf appeared at the hearing. An Assistant Attorney General presented a brief statement. The Assistant Attorney General presented a journal entry from the Court of Common Pleas of Summit County evidencing that the applicant was convicted of gross sexual imposition, a felony of the third degree, on July 1, 1996. This conviction was within ten years of the date the applicant asserts she was a victim of crime, November 6, 2005. Accordingly, the Assistant Attorney General argues the applicant's claim should be denied pursuant to R.C. 2743.60(E)(1) and the Final Decision of the Attorney General should be affirmed.

{¶4} From review of the file and with full and careful consideration given to all the information presented at the hearing, this panel finds the June 28, 2006 Final Decision of the Attorney General shall be affirmed.

IT IS THEREFORE ORDERED THAT:

- 1) The June 28, 2006 decision of the Attorney General is AFFIRMED;
- 2) This claim is denied and judgment is entered for the state of Ohio;
- 3) Costs are assumed by the court of claims victims of crime fund.

JAMES H. HEWITT III
Commissioner

GREGORY P. BARWELL

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Commissioner

KARL C. KERSCHNER
Commissioner

ID #A4-drb-tad-102506

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

Filed 12/15/2006
Jr. Vol. 2262, Pgs. 155-157
To S.C. Reporter 1/31/2007

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ORDER