

Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

MICHAEL W. FINAMORE

Plaintiff

v.

OHIO DEPT. OF NATURAL
RESOURCES

Defendant

Case No. 2006-04296-AD

Daniel R. Borchert

Deputy Clerk

MEMORANDUM DECISION

FINDINGS OF FACT

{¶ 1} 1) On June 27, 2006, plaintiff, Michael W. Finamore, filed a complaint against defendant. Department of Natural Resources, asserting his boat was damaged as a proximate cause of negligence on the part of defendant's personnel in maintaining the boat docks at Alum Creek State Park.

{¶ 2} 2) Plaintiff seeks damages in the amount of \$2,116.26 for property damage repair, plus \$25.00 for filing fee reimbursement.

{¶ 3} 3) On September 1, 2006, defendant filed an investigation report admitting liability for plaintiff's property damage.

CONCLUSIONS OF LAW

{¶ 4} 1) Sufficient proof of liability on the part of defendant has been shown. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD; *Stewart v. Ohio National Guard* (1979), 78-0342-AD.

{¶ 5} 2) Plaintiff has suffered damages in the amount of \$2,116.26, plus the \$25.00 filing fee, which may be reimbursed as compensable damages pursuant to the holding in *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19.

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ENTRY OF ADMINISTRATIVE
DETERMINATION

Having considered all the evidence in the claim file and, for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of plaintiff in the amount of \$2,141.26, which includes the filing fee. Court costs are assessed against defendant. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Michael W. Finamore
2727 Barharbor Court
Lewis Center, Ohio 43035

Plaintiff, Pro se

Charles G. Rowan

For Defendant

Acting Chief Counsel
Department of Natural Resources
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RDK/laa

9/13

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