

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

LAZARO AVERHOFF

Plaintiff

v.

STATE HIGHWAY PATROL

Defendant

Case No. 2006-05799-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

THE COURT FINDS THAT:

{¶ 1} 1) On September 8, 2006, plaintiff, Lazaro Averhoff, filed a complaint against defendant, Ohio State Highway Patrol (“OSHP”), alleging he incurred automobile property damage as a proximate cause of negligent acts on the part of OSHP personnel. Plaintiff seeks damages in the amount of \$108.14 for property damage, plus \$25.00 for filing fee reimbursement;

{¶ 2} 2) On September 20, 2006, plaintiff paid the filing fee;

{¶ 3} 3) On September 25, 2006, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered the damages claimed.

THE COURT CONCLUDES THAT:

{¶ 4} 1) Negligence on the part of defendant has been shown. *Johnson v. State Highway Patrol* (2002), 2001-12347-AD; *Moro v. Ohio State Highway Patrol*, 2002-04429-AD, 2002-Ohio-4635; *Vastine v. State Highway Patrol*, 2002-10305-AD, 2003-Ohio-1681;

{¶ 5} 2) Plaintiff suffered damages in the amount of \$108.14, plus the \$25.00 filing fee. *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19, 587 N.E. 2d 990.

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ENTRY OF ADMINISTRATIVE
DETERMINATION

STATE HIGHWAY PATROL

Defendant

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 \$133.14, 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:

Lazaro Averhoff
2496 Potts Place
Hilliard, Ohio 43026

Plaintiff, Pro se

Colonel Paul D. McClellan
Ohio State Highway Patrol
P.O. Box 182074
Columbus, Ohio 43218-2074

For Defendant

Sent to S.C. reporter 7/18/07