

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

DWAYNE JOHNSON

Plaintiff

v.

HIGHWAY PATROL

Defendant

Case No. 2006-06086-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

FINDINGS OF FACT

{¶ 1} 1) Plaintiff, Dwayne Johnson, filed a complaint seeking to recover towing and storage fees imposed for a vehicle ordered impounded by defendant, Ohio State Highway Patrol (“OSHP”). The vehicle was impounded incident to a charge against the vehicle’s driver. A judge of the Municipal Court of Franklin County, ordered that the fees for towing and storage of the impounded vehicle be paid by OSHP. Based on this court order, plaintiff seeks \$174.00 in damages for towing and storage fees. The filing fee was waived.

{¶ 2} 2) OSHP filed an investigation report agreeing to reimburse plaintiff’s \$174.00, pursuant to the order issued by the Municipal Court of Franklin County.

{¶ 3} 3) Plaintiff responded expressing his agreement with defendant’s position.

CONCLUSIONS OF LAW

{¶ 4} 1) Sufficient proof of liability on the part of defendant has been shown. *Lockhart v. State Highway Patrol-Ohio*, 2005-07356-AD, 2005-Ohio-5396; *Moro v. Ohio State Highway Patrol*, 2002-04429-AD, 2002-Ohio-4635; *Vastine v. Ohio State Highway Patrol*, 2002-10305-AD, 2003-Ohio-1681; *Ken & Son Towing, Inc. v. Ohio State*

Case No. 2006-06086-AD	- 2 -	ENTRY
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Highway Patrol, 2005-09499-AD, 2005-Ohio-6814.

{¶ 5} 2) Plaintiff suffered damages in the amount of \$174.00.

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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 \$174.00. 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:

Dwayne Johnson
3355 Norwalk Road
Columbus, Ohio 43207

Plaintiff, Pro se

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

For Defendant

RDK/laa
10/19

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