

[Cite as *In re Sims*, 2007-Ohio-1404.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

www.cco.state.oh.us

IN RE: DORION L. SIMS	:	
LAKISHA M. HAWKINS	:	Case No. V2006-20844
LA TOYA M. BROOM	:	Case No. V2006-20895
DORIONE L. SIMS	:	Commissioners:
Applicants	:	Tim McCormack, Presiding
_____	:	Thomas H. Bainbridge
_____	:	Karl C. Kerschner
	:	<u>ORDER OF A THREE-</u>
	:	<u>COMMISSIONER PANEL</u>
	:	
	:	
	:	
	:	
	:	

{¶1} The applicants filed a reparations application seeking reimbursement of expenses incurred with respect to the June 27, 2005 homicide of Dorion Sims. On December 13, 2005, the Attorney General denied the claim pursuant to R.C. 2743.60(E) and R.C. 2743.52(A). The Attorney General denied applicant Hawkins' claim because she was convicted of felony theft on April 27, 2004. The Attorney General denied applicant Broom's claim because she failed to prove that the decedent financially supported her and her unborn child prior to his death. On December 22, 2005, applicant Broom filed a request for reconsideration. On August 28, 2006, the Attorney General denied the claim once again. On September 7, 2006, the applicants filed a

notice of appeal to the Attorney General's August 28, 2006 Final Decision. On December 6, 2006 at 10:30 A.M., this matter came to be heard before this panel of three commissioners.

{¶2} Neither the applicants nor anyone on their behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented testimony and brief comments for the panel's consideration. William Fulcher ("Mr. Fulcher"), an economic loss manager for the Attorney General's Office, testified that he investigated the applicants' claim for economic loss. Mr. Fulcher explained that he contacted the Social Security Administration, the Ohio Department of Job & Family Services, and other agencies to determine whether the applicants incurred any type of economic loss as result of the decedent's death. Mr. Fulcher testified that after conducting a thorough investigation of the matter, he determined that the decedent failed to provide any type of financial support to Ms. Broom since he was not working at the time of his death. After hearing Mr. Fulcher's testimony, the Assistant Attorney General reiterated her position for denying the claim.

{¶3} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find the August 28, 2006 decision of the Attorney General shall be affirmed.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) Dorione L. Sims shall be added as an applicant to this claim;

{¶6} 2) The clerk shall note in the appearance docket and on all appropriate indices that Dorione L. Sims is an applicant to this claim;

{¶7} 3) The August 28, 2006 decision of the Attorney General is AFFIRMED;

{¶8} 4) This claim is DENIED and judgment is rendered for the state of Ohio;

{¶9} 5) Costs are assumed by the court of claims victims of crime fund.

TIM MC CORMACK
Presiding Commissioner

THOMAS H. BAINBRIDGE
Commissioner

KARL C. KERSCHNER
Commissioner

ID #3-dld-tad-121806

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

Filed 2-2-2007
Jr. Vol. 2263, Pgs. 76-78
To S.C. Reporter 3-22-2007

Case No. V2006-20844
Case No. V2006-20895

-1-

ORDER