

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

GREGORY J. LOWE

Case No. 2006-07660-AD

Plaintiff

Clerk Miles C. Durfey

v.

MEMORANDUM DECISION

OHIO DEPARTMENT OF NATURAL
RESOURCES

Defendant

FINDINGS OF FACT

{¶1} 1) On December 8, 2006, plaintiff, Gregory J. Lowe, filed a complaint against defendant, Department of Natural Resources, asserting that 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 \$2,500.00 for property damage repair. The filing fee was paid.

{¶3} 3) On March 8, 2007, 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; *Slane v. Ohio Department of Natural Resources* (2006), 2006-04288-AD.

{¶5} 2) Plaintiff has suffered damages in the amount of \$2,500.00.

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

GREGORY J. LOWE

Case No. 2006-07660-AD

Plaintiff

Clerk Miles C. Durfey

v.

OHIO DEPARTMENT OF NATURAL
RESOURCES

ENTRY OF ADMINISTRATIVE
DETERMINATION

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 \$2,500.00, 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.

MILES C. DURFEY
Clerk

Entry cc:

Gregory J. Lowe
3027 Summerview Pl.
Galena, Ohio 43021

Charles G. Rowan, Deputy Chief Counsel
Department of Natural Resources
2045 Morse Road, Building D-3
Columbus, Ohio 43229-6693

RDK/laa
4/3
Filed 4/18/07
Sent to S.C. reporter 5/18/07

[Cite as *Lowe v. Ohio Dept. of Natural Resources*, 2007-Ohio-2404.]