

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

KIMBERLEY LANDMAN

Case No. 2007-01801-AD

Plaintiff

Deputy Clerk Daniel R. Borchert

v.

MEMORANDUM DECISION

OHIO STATE HIGHWAY PATROL

Defendant

FINDINGS OF FACT

{¶1} 1) Plaintiff, Kimberley Landman, filed a complaint seeking to recover the replacement cost of personal property destroyed by an employee of defendant, Ohio State Highway Patrol. Plaintiff claimed damages in the amount of \$622.12 for property loss. The filing fee was paid and reimbursement for that fee was also requested.

{¶2} 2) Defendant filed an investigation report admitting liability for plaintiff's loss and acknowledging the damage amount claimed. Plaintiff filed a response expressing her agreement with defendant's position.

CONCLUSIONS OF LAW

{¶3} 1) Sufficient proof of liability on the part of defendant has been established. *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. State Highway Patrol*, 2002-10305-AD, 2003-Ohio-1681.

{¶4} 2) Plaintiff has suffered damages in the amount of \$622.12, 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

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 \$647.12, 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:

Kimberley Landman
13232 -9 Mile Road
South Lyon, Michigan 48178

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

RDK/laa
4/4
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