

[Cite as *In re Bednar*, 2007-Ohio-2930.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

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IN RE: CHESTER A. BEDNAR	:	Case No. V2006-21069
CHESTER A. BEDNAR	:	Commissioners:
Applicant	:	Tim Mc Cormack, Presiding
	:	Thomas H. Bainbridge
	:	Karl C. Kerschner
	:	
	:	<u>ORDER OF A THREE-</u>
	:	<u>COMMISSIONER PANEL</u>
	:	
	:	
	:	
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{¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a 1996 or 1997 alleged fraud incident relating to his home. On July 24, 2006, the Attorney General denied the claim pursuant to R.C. 2743.52(A) contending that the applicant failed to prove that he qualifies as a victim of criminally injurious conduct. On August 15, 2006, the applicant filed a request for reconsideration. On October 16, 2006, the Attorney General denied the claim once again. On October 30, 2006, the applicant filed a notice of appeal to the Attorney General's October 16, 2006 Final Decision. On February 7, 2007 at 10:25 A.M., this matter was heard before this panel of three commissioners.

{¶2} The pro se applicant and an Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. The applicant

ultimately conceded, however, that he is ineligible to recover from the victims' fund. The Assistant Attorney General reiterated her position for denying the claim.

{¶3} Based upon the panel's review of the file and with full and careful consideration given to all the information presented at the hearing, the panel finds that the applicant: (1) failed to prove that he was a victim of criminally injurious conduct; (2) failed to timely file a reparations application; and (3) failed to file a police report with respect to the matter. Therefore, the October 16, 2006 decision of the Attorney General shall be affirmed.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The October 16, 2006 decision of the Attorney General is
AFFIRMED;

{¶6} 2) This claim is DENIED and judgment is rendered for the state;

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

TIM MC CORMACK
Presiding Commissioner

THOMAS H. BAINBRIDGE
Commissioner

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KARL C. KERSCHNER
Commissioner

ID #X-dld-laa-2-9-07

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

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To S.C. Reporter 6-8-2007