

[Cite as *In re Henry*, 2007-Ohio-3486.]

**IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION**

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IN RE: MARVIN E. HENRY	:	Case No. V2002-50676
MARVIN E. HENRY	:	Commissioners:
	:	Tim McCormack, Presiding
Applicant	:	Randi Ostry LeHoty
(V1987-86506)	:	Lloyd Pierre-Louis
_____	:	
_____	:	<u>ORDER OF A THREE-</u>
	:	<u>COMMISSIONER PANEL</u>

: : : : :

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{¶1} On May 30, 2006, the applicant filed a supplemental compensation application seeking reimbursement of expenses incurred with respect to an August 19, 1987 assault incident. On August 2, 2006, the Attorney General denied the applicant's claim pursuant to the doctrine of res judicata. On August 28, 2006, the applicant filed a request for reconsideration. On October 27, 2006, the Attorney General granted the applicant an award totaling \$140.20 for unreimbursed allowable expense. On November 2, 2006, the applicant filed a notice of appeal to the Attorney General's October 27, 2006 Final Decision. At 12:35 P.M. on April 18, 2007, this matter was reheard before this panel of three commissioners.

{¶2} Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented brief comments for this panel's consideration. The Assistant Attorney General summarized the facts of the case, explained the findings of her March 14, 2007 supplemental memorandum, and reiterated her position to affirm the Attorney General's October 27, 2006 Final Decision. After a brief discussion of the claim, the panel chairperson concluded the hearing.

{¶3} From review of the file and with full and careful consideration of all the information presented at the hearing, we find that the October 27, 2006 Final Decision of the Attorney General shall be affirmed.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The October 27, 2006 decision of the Attorney General is AFFIRMED;

{¶6} 2) This claim is remanded to the Attorney General for payment of the \$140.20 award;

{¶7} 3) This order is entered without prejudice to the applicant's right to file a supplemental compensation application, within five years of this order, pursuant to R.C. 2743.68;

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

TIM MC CORMACK
Presiding Commissioner

RANDI OSTRY LE HOTY
Commissioner

LLOYD PIERRE-LOUIS
Commissioner

ID #21-dld-tad-042307

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

Filed 6-15-2007
Jr. Vol. 2265, Pgs. 53-55
To S.C. Reporter 7-6-2007

Case No. V2002-50676

-1-

ORDER