

**[Cite as *In re Rawls*, 2007-Ohio-4512.]**

**IN THE COURT OF CLAIMS OF OHIO**

## VICTIMS OF CRIME DIVISION

[www.cco.state.oh.us](http://www.cco.state.oh.us)

IN RE: DARRYL RAWLS	:	Case No. V2007-90137
DARRYL RAWLS	:	Commissioners:
	:	Lloyd Pierre-Louis, Presiding
Applicant	:	Thomas H. Bainbridge
	:	Clarence E. Mingo II
_____	:	
_____	:	<u>ORDER OF A THREE-</u>
	:	<u>COMMISSIONER PANEL</u>
	:	

{¶¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a February 11, 2006 assault incident. On October 25, 2006, the Attorney General denied the claim pursuant to R.C. 2743.60(E) because the applicant was convicted of felony sexual battery on April 3, 1998, which is within ten years of the criminally injurious conduct. On January 23, 2007, the applicant filed a request for reconsideration. On February 1, 2007, the Attorney General denied the claim once again. On February 9, 2007, the applicant filed a notice of appeal to the Attorney General's February 1, 2007 Final Decision. On May 9, 2007 at 3:40 P.M. this matter was heard before this panel of three commissioners.

{¶2} Neither the applicant nor anyone on his behalf appeared at the hearing. The Assistant Attorney General attended the hearing and presented a brief summary of the case and reiterated her position for denying the claim.

{¶3} R.C. 2743.60(E)(1)(a) states:

“Except as otherwise provided in division (E)(2) of this section, the attorney general, a panel of commissioners, or a judge of the court of claims shall not make an award to a claimant if any of the following applies:

(a) The victim was convicted of a felony within ten years prior to the criminally injurious conduct that gave rise to the claim or is convicted of a felony during the pendency of the claim.”

{¶4} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find the February 1, 2007 decision of the Attorney General shall be affirmed.

{¶5} IT IS THEREFORE ORDERED THAT

{¶6} 1) The February 1, 2007 decision of the Attorney General is AFFIRMED;

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

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

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LLOYD PIERRE-LOUIS

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Presiding Commissioner

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THOMAS H. BAINBRIDGE  
Commissioner

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CLARENCE E. MINGO II  
Commissioner

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

Filed 7-5-2007  
Jr. Vol. 2265, Pgs. 147-149  
To S.C. Reporter 8-31-2007

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ORDER