

[Cite as *In re Dilworth*, 2007-Ohio-4514.]

Court of Claims of Ohio

Victims of Crime Division

The Ohio Judicial Center

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Columbus, OH 43215
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www.cco.state.oh.us

IN RE: TINA M. DILWORTH

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Applicant

Case No. V2007-90307

Commissioners:
Karl C. Kerschner, Presiding
Thomas H. Bainbridge
Tim McCormack

ORDER OF A THREE-
COMMISSIONER PANEL

{¶1} On August 24, 2006, the applicant filed a supplemental compensation application seeking additional reimbursement of expenses incurred with respect to an October 1, 1994 sexual assault incident. On January 16, 2007, the Attorney General granted the applicant an award totaling \$1,746.00 in unreimbursed allowable expense. On February 8, 2007, the applicant filed a request for reconsideration. On April 13,

2007, the Attorney General issued a Final Decision indicating that the previous decision warranted no modification. On April 24, 2007, the applicant filed a notice of appeal to the Attorney General's April 13, 2007 Final Decision. On July 6, 2007, the applicant and the Attorney General filed a joint motion to remand, in as much as they both agreed that the applicant's therapy expenses should be reimbursed at 30 percent and that the applicant should be granted a total award for 2006 in the amount of \$2,466.00. On July 12, 2007 at 11:30 A.M., this matter was heard before this panel of three commissioners.

{¶2} The applicant's counsel and an Assistant Attorney General attended the hearing and presented brief comments for this panel's consideration. They also reiterated their statements from the July 6, 2007 agreement. The panel chairman then concluded the hearing.

{¶3} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find that the applicant incurred unreimbursed allowable expense in the amount of \$2,466.00. Therefore, the April 13, 2007 decision of the Attorney General shall be reversed and the applicant shall be granted an award in the amount of \$2,466.00 for unreimbursed allowable expense.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The July 6, 2007 motion to remand is hereby GRANTED;

{¶6} 2) The April 13, 2007 decision of the Attorney General is REVERSED and judgment is rendered in favor of the applicant in the amount of \$2,466.00;

{¶7} 3) This claim is remanded to the Attorney General pursuant to R.C. 2743.191 for payment of the \$2,466.00 award;

{¶8} 4) 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;

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

KARL C. KERSCHNER
Presiding Commissioner

THOMAS H. BAINBRIDGE
Commissioner

TIM MC CORMACK
Commissioner

ID #A1-dld-tad-071207

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

Filed 7-19-2007
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To S.C. Reporter 8-31-2007

