

Court of Claims of Ohio Victims of Crime Division

The Ohio Judicial Center

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IN RE: STACY L. MILLER

Case No. V2007-90617

STACY L. MILLER

Applicant

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

ORDER OF A THREE-
COMMISSIONER PANEL

{¶1} The applicant filed a reparations application on June 15, 2007, seeking reimbursement for economic loss incurred as the result of an assault which occurred on June 12, 2004. On June 26, 2007, the Attorney General denied the claim pursuant to R.C. 2743.56(B) and R.C. 2743.60(A) for failure to file a reparations application within two years of the occurrence of the criminally injurious conduct. On July 6, 2007, the applicant filed a request for reconsideration. On September 5, 2007, the Attorney General issued a Final Decision denying the applicant's claim based on the statute of limitations. On September 11, 2007, the applicant filed a notice of appeal to the Attorney General's September 5, 2007 Final Decision. On December 5, 2007 at 10:05 A.M., this matter was heard before this panel of three commissioners.

{¶2} Neither the applicant nor anyone on her behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. The Assistant Attorney General noted the applicant filed the reparations application over three years after the occurrence of the criminally injurious conduct. The only explanation offered by the applicant was that she waited until after the criminal proceedings had concluded before filing the application.

{¶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 September 5, 2007 decision of the Attorney General shall be affirmed.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The September 5, 2007 decision of the Attorney General is AFFIRMED;

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

{¶7} 3) 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

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

Filed 1-31-2007

Jr. vol. 2267, Pgs. 156-157

To S.C. Reporter 6-5-2008

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ORDER