

Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

NATHAN SUEL

Plaintiff

v.

PICKAWAY CORRECTIONAL
INSTITUTION

Defendant

Case No. 2007-09330-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

FINDINGS OF FACT

{¶1} 1) Plaintiff, Nathan Suel, an inmate incarcerated at defendant, Pickaway Correctional Institution ("PCI"), contends several items of his personal property were lost while under the control of PCI personnel. Plaintiff filed this complaint seeking to recover \$478.62, the estimated replacement cost of his missing property.

{¶2} 2) Defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$478.62. Defendant also acknowledged plaintiff should receive filing fee reimbursement.

{¶3} 3) Plaintiff filed a response expressing his agreement with defendant's admissions in the investigation report.

CONCLUSIONS OF LAW

{¶4} 1) Negligence on the part of defendant has been established. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD.

{¶5} 2) Plaintiff suffered damages in the amount of \$478.62, plus the \$25.00 filing fee which may be awarded as compensable costs pursuant to R.C. 2335.19. See *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19, 587 N.E. 2d 990.



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ENTRY OF ADMINISTRATIVE
DETERMINATION

Having considered all the evidence in the claim file and, for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of plaintiff in the amount of \$503.62, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Nathan Suel, #459-808
P.O. Box 209, E Unit
11781 St. Rt. 762
Orient, Ohio 43146

Gregory C. Trout, Chief Counsel
Department of Rehabilitation
and Correction
1050 Freeway Drive North
Columbus, Ohio 43229

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