

[Cite as *Hutchison v. State Hwy. Patrol*, 2008-Ohio-5627.]

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

ERIC HUTCHISON

Plaintiff

v.

STATE HIGHWAY PATROL

Defendant

Case No. 2008-06318-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

[Cite as *Hutchison v. State Hwy. Patrol*, 2008-Ohio-5627.]

FINDINGS OF FACT

{¶ 1} 1) Plaintiff, Eric Hutchison, filed this complaint against defendant, Ohio State Highway Patrol (“OSHP”), alleging the negligent act of an OSHP Trooper caused damage to his automobile (scratch on front left side door of a 2004 Volvo S40). Plaintiff seeks damages in the amount of \$537.28, representing the cost of automotive repair. Plaintiff also requested reimbursement of the \$25.00 filing fee cost. The filing fee was paid.

{¶ 2} 2) Defendant filed an investigation report admitting liability for plaintiff’s loss and acknowledging the damage amount claimed as well as the compensable cost claimed.

{¶ 3} 3) Plaintiff filed a response expressing his agreement with defendant’s position.

CONCLUSIONS OF LAW

{¶ 4} 1) Negligence on the part of defendant has been established. *Johnson v. State Highway Patrol* (2002), 2001-12347-AD; *Zapf v. Highway Patrol*, Ct. of Cl. No. 2006-07511-AD, 2007-Ohio-3104; *Landman v. Ohio State Highway Patrol*, Ct. of Cl. No. 2007-01801-AD, 2007-Ohio-2414.

{¶ 5} 2) Plaintiff has suffered damages in the amount of \$537.28, plus the \$25.00 filing fee which may be reimbursed 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

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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 \$562.28, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Eric Hutchison
1323 Fowler Drive
Columbus, Ohio 43224

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RDK/laa
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