

# 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

CHAD GARRETT BROWN

Plaintiff

v.

HIGHWAY PATROL

Defendant

Case No. 2009-03860-AD

Clerk Miles C. Durfey

## MEMORANDUM DECISION

### FINDINGS OF FACT

{¶ 1} 1) Plaintiff, Chad Garrett Brown, filed a complaint seeking to recover towing and storage fees imposed when his vehicle was ordered impounded by defendant, Ohio State Highway Patrol (OSHP). Plaintiff asserted that OSHP had no right to order his 2000 Chevrolet Silverado impounded incident to a charge against him. Plaintiff seeks damages in the amount of \$219.91. The \$25.00 filing fee was paid.

{¶ 2} 2) OSHP filed an investigation report agreeing to reimburse plaintiff the cost incurred for impound and towing fees.

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

### CONCLUSIONS OF LAW

{¶ 4} 1) Sufficient proof of liability on the part of defendant has been shown. *Lockhart v. State Highway Patrol-Ohio*, Ct. of Cl. No. 2005-07356-AD, 2005-Ohio-5396; *Moro v. Ohio State Highway Patrol*, Ct. of Cl. No. 2002-04429-AD, 2002-Ohio-4635;

*Vastine v. State Highway Patrol*, Ct. of Cl. No. 2002-10305-AD, 2003-Ohio-1681; *Ken & Son Towing, Inc. v. Ohio State Highway Patrol*, Ct. of Cl. No. 2005-09499-AD, 2005-Ohio-6814; *Maxwell Towing Servs., Inc. v. Ohio State Hwy. Patrol*, Ct. of Cl. No. 2006-04059-AD, 2006-Ohio-7286; *Johnson v. Ohio State Hwy. Patrol*, Ct. of Cl. No. 2006-06086-AD, 2006-Ohio-7319.

{¶ 5} 2) Plaintiff suffered damages in the amount of \$244.91, plus the \$25.00 filing fee. *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 \$244.91, which includes the filing fee. Court costs are assessed against defendant.

MILES C. DURFEY  
Clerk

Entry cc:

Chad Garrett Brown  
417 W. 9th Street  
Marysville, Ohio 43040

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Ohio State Highway Patrol  
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Columbus, Ohio 43218-2074

RDK/laa  
6/23  
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