

# 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

JESSIE M. HIGH

Plaintiff

v.

PICKAWAY CORRECTIONAL INSTITUTE

Defendant

Case No. 2009-07890-AD

Deputy Clerk Daniel R. Borchert

## MEMORANDUM DECISION

### FINDINGS OF FACT

{¶ 1} 1) Plaintiff, Jessie M. High, an inmate incarcerated at defendant, Pickaway Correctional Institution, filed this action alleging his personal property was confiscated during a July 2, 2009 shakedown search and not returned. Plaintiff requested damages in the amount of \$79.29 for property loss. Plaintiff also requested reimbursement of unspecified copying costs. The \$25.00 filing fee was paid and plaintiff requested reimbursement of that cost along with his damage claim.

{¶ 2} 2) Defendant filed an investigation report admitting liability and acknowledging plaintiff suffered property loss damages in the amount of \$79.29.

### CONCLUSIONS OF LAW

{¶ 3} 1) Copying costs are not compensable. See *Carnail v. Dept. of Rehab. & Corr.*, Ct. of Cl. No. 2007-06322-AD, 2008-Ohio-1207.

{¶ 4} 2) Negligence on the part of defendant has been shown in respect to the issue of property protection. *Billups v. Department of Rehabilitation and Correction* (2001), 2000-10634-AD; *Tyler v. Ohio Dept. of Rehab. & Corr.*, Ct. of Cl. No. 2007-

07299-AD, 2008-Ohio-3418.

{¶ 5} 3) Defendant is liable to plaintiff for his property loss in the amount of \$79.29, plus the \$25.00 filing fee costs. *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 \$104.29, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT  
Deputy Clerk

Entry cc:

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RDK/laa  
6/23  
Filed 7/20/10  
Sent to S.C. reporter 11/5/10