



# Court of Claims of Ohio

## Victims of Crime Division

The Ohio Judicial Center  
65 South Front Street, Fourth Floor  
Columbus, OH 43215  
614.387.9860 or 1.800.824.8263  
[www.cco.state.oh.us](http://www.cco.state.oh.us)

IN RE: CHARLENE M. GLASS

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Applicant

Case No. V2010-50264

Commissioners:

Gregory P. Barwell, Presiding  
Elizabeth Luper Schuster  
Susan G. Sheridan

### ORDER OF A THREE COMMISSIONER PANEL

{¶1} On October 14, 2009, the applicant filed a compensation application as the result of an incident which occurred on April 15, 2008. On December 15, 2009, the Attorney General issued a finding of fact and decision denying the applicant's claim pursuant to R.C. 2743.60(E)(1)(d), since the applicant was convicted of Domestic Violence on June 15, 1999. On December 21, 2009, the applicant filed a request for reconsideration. On February 22, 2010, the Attorney General rendered a Final Decision finding no reason to modify its initial decision. On March 2, 2010, the applicant filed a notice of appeal from the February 22, 2010 Final Decision of the Attorney General. Hence, a hearing was held before this panel of commissioners on May 19, 2010 at 10:20 A.M.

{¶2} On May 3, 2010, the Attorney General filed a motion for leave to file a brief beyond the order date.

{¶3} For hearing purposes only claim numbers V2010-50183, V2010-50191, V2010-50248, V2010-50256, and V2010-50264 were heard concurrently. The applicant did not appear at the hearing, while Assistant Attorney General Jason Fuller

appeared on behalf of the state of Ohio. The Attorney General made a brief statement for the panel's consideration. The applicant asserts she was a victim of criminally injurious conduct on April 15, 2008, however, she was convicted of Domestic Violence on June 15, 1999, which was within ten years of the criminal incident. Accordingly, the Attorney General argued that the applicant's claim should be denied pursuant to R.C. 2743.60(E)(1)(d). Whereupon, the hearing was concluded.

{¶4}R.C. 2743.60(E)(1)(d) states:

“(E) (1) Except as otherwise provided in division (E)(2) of this section, the attorney general, a panel of commissioners, or a judge of the court of claims shall not make an award to a claimant if any of the following applies:

“(d) The claimant was convicted of a violation of section 2919.22 or 2919.25 of the Revised Code, or of any state law or municipal ordinance substantially similar to either section, within ten years prior to the criminally injurious conduct that gave rise to the claim or during the pendency of the claim.”

{¶5}From review of the file and upon full and careful consideration given to the statement of the Attorney General, we find the applicant's claim should be denied pursuant to R.C. 2743.60(E)(1)(d). The applicant was convicted of Domestic Violence on June 15, 1999 which was within ten years of the occurrence of the criminal incident. Therefore, the February 22, 2010 decision of the Attorney General is affirmed.

IT IS THEREFORE ORDERED THAT

{¶6}1) The Attorney General's motion of May 3, 2010 is GRANTED;

{¶7}2) The February 22, 2010 decision of the Attorney General is AFFIRMED;

{¶8}3) This claim is DENIED and judgment is rendered for the state of Ohio;

{¶9}4) Costs are assumed by the court of claims victims of crime fund.

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GREGORY P. BARWELL  
Presiding Commissioner

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ELIZABETH LUPER SCHUSTER  
Commissioner

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SUSAN G. SHERIDAN  
Commissioner

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

Filed 7-16-10  
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Sent to S.C. Reporter 8-5-11