



Court of Claims of Ohio

Victims of Crime Division

The Ohio Judicial Center
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Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

IN RE: MICHAEL CORRADO

BARBARA BIESZKI

BENJAMIN BIESZKI

PATRICIA BIESZKI

RICHARD BIESZKI

STEVEN BIESZKI

Applicants

Case No. V2012-70041

Judge Patrick M. McGrath

ORDER

{¶1} On October 19, 2012, a hearing was held in this matter before a magistrate of this court. On November 7, 2012, the magistrate issued a decision wherein he found that applicant, Benjamin Bieszki, failed to prove by a preponderance of the evidence that he was entitled to an award of reparations.

{¶2} Civ.R. 53 states that: “[a] party may, within fourteen days of the filing of the decision, serve and file written objections to the magistrate’s decision.” To date, applicant has not filed an objection to the magistrate’s decision.

{¶3} Upon review of the claim file, and the magistrate’s decision, it is the court’s finding that the magistrate was correct in his analysis of the issues and application of the law. Accordingly, this court adopts the magistrate’s decision and recommendation as its own.

{¶4} IT IS HEREBY ORDERED THAT:

- {¶5} 1) The November 7, 2012 decision of the magistrate is ADOPTED;
- {¶6} 2) The order of June 27, 2012, (Jr. Vol. 2283, Pages 98-104) is reversed;
- {¶7} 3) Applicants' claim for an additional award is DENIED and judgment entered for the State of Ohio;
- {¶8} 4) This order is entered without prejudice to applicants' right to file a supplemental reparations application pursuant to 2743.68 if applicants incur additional economic loss;
- {¶9} 5) Costs assumed by the reparations fund.

PATRICK M. MCGRATH
Judge

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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 12-5-12
Jr. Vol. 2285, Pg. 151
Sent to S.C. Reporter 7-19-13