

# 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

SHAWN JACKSON

Plaintiff

v.

OHIO DEPARTMENT OF TRANSPORTATION, et al.

Defendants

Case No. 2010-02634-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

## FINDINGS OF FACT

{¶ 1} Plaintiff, Shawn Jackson, filed this action against defendant, Department of Transportation (ODOT), contending his 1992 Ford Taurus was damaged as a proximate cause of negligence on the part of ODOT personnel in conducting snow removal operations on State Route 141 on either January 15, 2010 or January 16, 2010. Plaintiff requested damages in the amount of \$68.90, the cost of repairs. Payment of the filing fee was waived.

{¶ 2} 2) ODOT filed an investigation report requesting plaintiff's claim be dismissed, advising the claim was paid and settled by defendant, Office of Risk Management. ODOT provided a copy of a "Release For Property Damage Only" document signed by plaintiff acknowledging his property damage claim had been satisfied and releasing ODOT from any liability claim.

## CONCLUSIONS OF LAW

{¶ 3} 1) R.C. 2743.02(D) in pertinent part states: "Recoveries against the

state shall be reduced by the aggregate of insurance proceeds, disability award, or other collateral recovery received by the claimant.” Upon review, the court finds that the money received by plaintiff is a recovery from a collateral source.

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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, plaintiff's claim is DISMISSED. The court shall absorb the court costs for this claim.

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DANIEL R. BORCHERT  
Deputy Clerk

Entry cc:

Shawn Jackson  
1712 Campbell Drive  
Ironton, Ohio 45638

Office of Risk Management  
3200 Surface Road  
Columbus, Ohio 43228-1395

RDK/laa  
7/15  
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Jolene M. Molitoris, Director  
Department of Transportation  
1980 West Broad Street  
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