

IN THE COURT OF CLAIMS OF OHIO

BROOKLYNN S. BLAKESLEE

Plaintiff

v.

OHIO DEPARTMENT OF  
TRANSPORTATION

Defendant

Case No. 2025-00100AD

Deputy Clerk Holly True Shaver

MEMORANDUM DECISION

{¶1} Brooklynn Blakeslee (“plaintiff”) filed this claim against defendant, Ohio Department of Transportation (“ODOT”), to recover damages which occurred when plaintiff’s 2025 Kia K5 struck a pothole on January 31, 2025, while plaintiff was traveling on State Route 91 in Lake County, Ohio. This road is a public road maintained by ODOT. Plaintiff’s vehicle sustained damages in the amount of \$329.76, which includes \$200.29 in vehicle damage and \$129.47 in towing expenses. Plaintiff submitted the \$25.00 filing fee.

{¶2} ODOT filed an investigation report stating its willingness to settle this claim if plaintiff provided a copy of plaintiff’s automobile insurance policy’s declaration page.

{¶3} R.C. 2743.02(D) states in pertinent part: “Recoveries against the state shall be reduced by the aggregate of insurance proceeds, disability award, or other collateral recovery that the claimant receives or is entitled to.”

{¶4} Plaintiff submitted a response to defendant’s investigation report, including a copy of plaintiff’s automobile insurance policy’s declaration page. The policy with State Farm has a \$250.00 deductible.

{¶5} Additionally, this court has found towing expenses to be a compensable expense. *Chandler v. Ohio Dept. of Transp.*, 2011-Ohio-7024 (Ct. of Cl.); *Boiano v. Ohio Dept. of Transp.*, 2010-Ohio-4791 (Ct. of Cl.); and *Foster v. Ohio Dept. of Transp.*, 2010-Ohio-4798 (Ct. of Cl.).

{¶6} Therefore, judgment is rendered in favor of plaintiff in the amount of \$329.76, plus \$25.00 for reimbursement of the filing fee pursuant to the holding in *Bailey v. Ohio Dept. of Rehab. & Corr.*, 62 Ohio Misc.2d 19 (Ct. of Cl. 1990).

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ENTRY OF ADMINISTRATIVE  
DETERMINATION

{¶7} 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 \$354.76, which includes reimbursement of the \$25.00 filing fee. Court costs are assessed against defendant.

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HOLLY TRUE SHAVER  
Deputy Clerk