

**IN THE COURT OF CLAIMS OF OHIO**

IN RE: PORSCHEA L. DARLING

Case No. 2025-00214VI

PORSCHEA L. DARLING

Magistrate Holly True Shaver

Applicant

DECISION OF THE MAGISTRATE

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{¶1} On February 28, 2025, Porschea L. Darling (“applicant”) filed a Notice of Appeal from the Attorney General’s (“AG”) January 29, 2025 Final Decision. A hearing was held on this appeal on May 27, 2025. Applicant failed to appear at the hearing. Assistant AG Lauren Angell appeared on behalf of the State of Ohio.

{¶2} In the application for this claim, applicant stated that “on 2/10/2024 I was assaulted by Arielle long on south high street we got into a fight over a guy at my uncles house on south high street, she hit me in the face with a rock I have photos of that she tossed a liquor drink in my face and burned my eyes the fight started and I was hit with a rock in my face.”

{¶3} On December 18, 2024, the AG issued a Finding of Fact and Decision denying applicant’s claim because it obtained information from law enforcement that applicant was the alleged offender, not the victim. Applicant filed a Request for Reconsideration wherein she reasserted her claims and cited photos of her injured face that she submitted to the AG as proof that a crime occurred. On January 29, 2025, the AG rendered its Final Decision wherein it did not modify the Finding of Fact and Decision.

{¶4} At the hearing, the AG stated that a Columbus Police Department Report exists for the incident on February 10, 2024. However, the report names applicant as a suspect and Arielle as a victim. The AG did not find any police reports for February 10, 2024, regarding these parties in which applicant was listed as a victim.

{¶5} R.C. 2743.61(B) states, in pertinent part:

If upon hearing and consideration of the record and evidence, the court decides that the decision of the attorney general appealed from

is reasonable and lawful, it shall affirm the same. If the court decides that the decision of the attorney general is not supported by a preponderance of the evidence or is unreasonable or unlawful, the court shall reverse and vacate the decision or modify it and enter judgment thereon.

{¶6} R.C. 2743.51(C)(1) states, in relevant part, that criminally injurious conduct is “any conduct that occurs or is attempted in this state; poses a substantial threat of personal injury or death; and is punishable by fine, imprisonment, or death.” In addition, R.C. 2743.51(L) states:

“Victim” means one of the following: (1) A person who suffers personal injury or death as a result of any of the following: (a) Criminally injurious conduct; (b) The good faith effort of any person to prevent criminally injurious conduct; (c) The good faith effort of any person to apprehend a person suspected in engaging in criminally injurious conduct.

{¶7} Applicant has the burden of proof to satisfy the court of claims that the requirements for an award have been met by a preponderance of the evidence. *In re Rios*, 8 Ohio Misc.2d 4 (Ct. of Cl. 1983). Further, the court has previously held that an uncorroborated statement of an applicant does not meet applicant’s burden of proof to establish that criminally injurious conduct occurred. *In re Henderson*, 2012-Ohio-6364 (Ct. of Cl.). Applicant did not produce any evidence outside of her own statements in her filings that criminally injurious conduct, of which she was the victim, occurred. In fact, the only evidence that criminally injurious conduct occurred shows that applicant was the alleged offender, not the victim. R.C. 2743.60(B)(1) states, in relevant part: “The attorney general or the court of claims shall not make or order an award of reparations to a claimant if . . . [t]he claimant is the offender or an accomplice of the offender who committed the criminally injurious conduct.” Therefore, the magistrate finds that applicant has failed to prove by a preponderance of the evidence that she qualifies as a victim of criminally injurious conduct as defined in R.C. 2743.51(L), and, therefore, applicant is not entitled to an award of reparations.

{¶8} Upon review of the evidence in the claim file and the arguments presented at the hearing, the magistrate finds that the Final Decision of the AG is reasonable and lawful. Therefore, the magistrate recommends that the AG's January 29, 2025 Final Decision be AFFIRMED.

{¶9} *A party may file written objections to the magistrate's decision within 14 days of the filing of the decision, whether or not the court has adopted the decision during that 14-day period as permitted by Civ.R. 53(D)(4)(e)(i). If any party timely files objections, any other party may also file objections not later than ten days after the first objections are filed. A party shall not assign as error on appeal the court's adoption of any factual finding or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Civ.R. 53(D)(3)(a)(ii), unless the party timely and specifically objects to that factual finding or legal conclusion within 14 days of the filing of the decision, as required by Civ.R. 53(D)(3)(b).*

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HOLLY TRUE SHAVER  
Magistrate

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

Filed 7/3/25  
Sent to S.C. Reporter 9/9/25