

shoes, and a velour blanket. Defendant asserts the damages for the above items, with the exception of the prescription glasses, should be limited to \$250.00. Defendant contends plaintiff is in agreement with this amount. With respect to the prescription glasses, defendant states a new pair of glasses has been ordered and will be replaced at no cost to plaintiff;

{¶5} On February 22, 2005, plaintiff filed a response to the investigation report expressing his agreement with the investigation report and its position with respect to damages.

{¶6} On March 15, 2005, plaintiff sent a letter to the court via defendant wherein he again expresses his agreement with defendant's investigation report.

THE COURT CONCLUDES THAT:

{¶7} I find, by a preponderance of the evidence, negligence by defendant has been shown. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD; *Stewart v. Ohio National Guard* (1979), 78-0342-AD;

{¶8} The court finds defendant is liable to plaintiff in the amount of \$250.00.

IN THE COURT OF CLAIMS OF OHIO

WILLIAM E. CARGILE :

Plaintiff :

v. :

CASE NO. 2004-11023-AD

SOUTHERN OHIO CORRECTIONAL INST. :

ENTRY OF ADMINISTRATIVE DETERMINATION

Defendant :

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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 \$250.00. Court costs are assessed against defendant. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

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DRB/laa
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