

[Cite as *In re Harmon*, 2005-Ohio-2649.]

**IN THE COURT OF CLAIMS OF OHIO**  
**VICTIMS OF CRIME DIVISION**

IN RE: JUDY A. HARMON	:	Case No. V2004-61195
JUDY A. HARMON	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶ 1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to an October 3, 2003 burglary and assault incident. On August 6, 2004, the Attorney General granted the applicant an award of reparations in the amount of \$4,254.61 for certain allowable expense items and crime scene clean-up. On September 1, 2004, the applicant filed a request for reconsideration. On October 29, 2004, the Attorney General granted the applicant an additional award in the amount of \$135.00 for crime scene clean-up. On November 19, 2004, the applicant filed a notice of appeal to the Attorney General's October 29, 2004 Final Decision. Hence, this matter came to be heard before this panel of three commissioners on February 23, 2005 at 10:15 A.M.

{¶ 2} Neither the applicant nor anyone on her behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. The Assistant Attorney General advised the panel that the only issue currently left to resolve concerns the applicant's replacement door. The Assistant Attorney General indicated

that he is having a difficult time obtaining an invoice for the replacement door from the contractor. The Assistant Attorney General suggested a remand of the claim in order to conduct further investigation of the matter.

{¶ 3} From review of the file and with full and careful consideration given to all the information presented at the hearing, this panel makes the following determination. At this time, we find that the applicant has failed to prove, by a preponderance of the evidence, that she incurred additional economic loss as a result of the criminally injurious conduct. Therefore, the October 29, 2004 Final Decision of the Attorney General shall be affirmed and the claim shall be remanded to the Attorney General for further investigation and decision concerning the applicant's replacement door.

IT IS THEREFORE ORDERED THAT

{¶ 4} 1) The October 29, 2004 decision of the Attorney General is AFFIRMED;

{¶ 5} 2) This claim is referred to the Attorney General for payment of the \$135.00 award;

{¶ 6} 3) This claim is remanded to the Attorney General for further investigation and decision concerning the applicant's replacement door;

{¶ 7} 4) This order is entered without prejudice to the applicant's right to file a supplemental compensation application, within five years of this order, pursuant to R.C. 2743.68;

{¶ 8} 5) Costs are assumed by the court of claims victims of crime fund.

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JAMES H. HEWITT III  
Commissioner

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THOMAS H. BAINBRIDGE  
Commissioner

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GREGORY P. BARWELL  
Commissioner

ID #\1-dld-tad-030405

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

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To S.C. Reporter 5-25-2005