

{¶6} 1) Negligence on the part of the defendant has been shown in respect to the property claimed. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD.

{¶7} 2) The assessment of damages is a matter within the province of the trier of fact. *Litchfield v. Morris* (1985), 25 Ohio App. 3d 42.

{¶8} 3) Defendant is liable to plaintiff in the amount of \$495.40, plus the \$25 filing fee.

{¶9} 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 \$520.40, which includes the filing fee. 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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Plaintiff, Pro se

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