

[Cite as *Wright v. Lebanon Correctional Inst.*, 2004-Ohio-212.]

IN THE COURT OF CLAIMS OF OHIO

RAMON WRIGHT :
 :
 Plaintiff :
 :
 v. : CASE NO. 2003-11518-AD
 :
 LEBANON CORRECTIONAL : MEMORANDUM DECISION
 INSTITUTION :
 :
 Defendant :
 :
 ::::::::::::::::::::

{¶1} THE COURT FINDS THAT:

{¶2} 1) On November 19, 2003, plaintiff, Ramon Wright, filed a complaint against defendant, Lebanon Correctional Institution, alleging defendant’s negligence caused the loss of his basketball shoes. Plaintiff seeks damages in the amount of \$60.83, plus the \$25.00 filing fee;

{¶3} 2) On November 19, 2003, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$60.83;

{¶4} 3) On November 19, 2003, plaintiff submitted the filing fee.

{¶5} THE COURT CONCLUDES THAT:

{¶6} 1) 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;

{¶7} 2) Plaintiff has suffered damages in the amount of \$60.83, plus the \$25.00 filing fee, which may be reimbursed as compensable damages pursuant to the holding in *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19.

{¶8} 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 \$85.83, which includes the filing fee. Court costs are waived. 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:

Ramon Wright, #331-665
P.O. Box 56
Lebanon, Ohio 45036

Plaintiff, Pro se

Anthony J. Brigano, Warden
P.O. Box 56
Lebanon, Ohio 45036

For Defendant

DRB/laa
1/13
Filed 1/16/04
Sent to S.C. reporter 1/20/04