

[Cite as *King v. Ross Correctional Inst.*, 2004-Ohio-5151.]

IN THE COURT OF CLAIMS OF OHIO

GERALD T. KING :
Plaintiff :
v. : CASE NO. 2003-12352-AD
ROSS CORRECTIONAL INSTITUTION : MEMORANDUM DECISION
Defendant :

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FINDINGS OF FACT

{¶ 1} 1) Plaintiff, Gerald T. King, an inmate incarcerated at defendant, Ross Correctional Institution (RCI), has alleged that on or about October 31, 2003, his television set was lost while under the custody and care of RCI staff.

{¶ 2} 2) Consequently, plaintiff filed this complaint seeking to recover \$179.00, the stated replacement cost of a replacement television set. The requisite material \$25.00 filing fee was paid.

{¶ 3} 3) Defendant admitted liability for the loss of plaintiff’s television set. Defendant related, “[t]he replacement value for this type of television is in the range of \$130.00 to \$199.99.” Evidence has shown plaintiff received a title for his television set upon his arrival at RCI on October 19, 2001. The set was at least two years old at the time it was lost.

{¶ 4} 4) Plaintiff reasserted his television set was worth \$179.00 on October 31, 2003.¹ The trier of fact disagrees.

CONCLUSIONS OF LAW

¹ Plaintiff filed a response on August 23, 2004.

DANIEL R. BORCHERT
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