

[Cite as *Bailey v. Corrections Med. Ctr.*, 2004-Ohio-2626.]

IN THE COURT OF CLAIMS OF OHIO

MICHAEL K. BAILEY :
Plaintiff :
v. : CASE NO. 2004-03039-AD
CORRECTIONS MEDICAL CENTER : MEMORANDUM DECISION
Defendant :

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{¶1} THE COURT FINDS THAT:

{¶2} 1) On March 2, 2004, plaintiff, Michael K. Bailey, filed a complaint against defendant, Corrections Medical Center, alleging his television set was damaged while under the control of defendant’s personnel. Plaintiff seeks damages in the amount of \$178.97 for property loss, plus \$25.00 for filing fee reimbursement. Plaintiff submitted the filing fee on March 11, 2004;

{¶3} 2) On March 11, 2004, defendant filed an investigation report admitting liability for the damage to plaintiff’s television.

{¶4} THE COURT CONCLUDES THAT:

{¶5} 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;

{¶6} 2) Plaintiff has suffered damages in the amount of \$178.97, 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.

{¶7} 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 \$203.97, 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:

Michael K. Bailey, #A141-957
P.O. Box 209
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Plaintiff, Pro se

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For Defendant

RDK/laa
4/28
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