

[Cite as *Jackson v. Ohio Dept. of Rehab. & Corr.*, 2004-Ohio-3760.]

IN THE COURT OF CLAIMS OF OHIO

RODRIC JACKSON, SR.	:	
Plaintiff	:	
v.	:	CASE NO. 2004-03373-AD
OHIO DEPARTMENT OF REH. AND CORR.	:	<u>MEMORANDUM DECISION</u>
Defendant	:	
	:	
	:	

{¶1} THE COURT FINDS THAT:

{¶2} 1) On March 10, 2004, plaintiff, Rodric Jackson, Sr., filed a complaint against defendant, Department of Rehabilitation and Correction, alleging defendant’s employees lost or destroyed his personal property. Plaintiff seeks damages in the amount of \$152.50 for property loss, plus \$25.00 for filing fee reimbursement.

{¶3} 2) On May 24, 2004, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$152.50 for property loss;

{¶4} 3) Plaintiff filed a response.

{¶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.

{¶7} 2) Plaintiff has suffered damages in the amount of \$152.50, 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.

{¶3} 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 \$177.50, 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:

Rodric Jackson, Sr., #349-434
P.O. Box 120
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Plaintiff, Pro se

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For Defendant

RDK/laa
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