

[Cite as *Ross v. Ohio Reformatory for Women*, 2004-Ohio-3757.]

IN THE COURT OF CLAIMS OF OHIO

ANGELA D. ROSS :
Plaintiff :
v. : CASE NO. 2004-03969-AD
OHIO REFORMATORY FOR WOMEN : MEMORANDUM DECISION
Defendant :

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FINDINGS OF FACT

{¶1} 1) Plaintiff, Angela D. Ross, an inmate incarcerated at defendant, Ohio Reformatory for Women, alleges on January 6, and January 15, 2004, medical books were received for her by defendant but lost before they were delivered to her.

{¶2} 2) Consequently, plaintiff filed this complaint seeking to recover \$105.17, the total replacement cost of the books lost while in defendant's possession. Plaintiff also seeks reimbursement of the filing fee which she submitted with the complaint.

{¶3} 3) On April 15, 2004, Jeannette D. Stewart, Acting Inspector for defendant, submitted a letter admitting liability for the loss of plaintiff's property.

CONCLUSIONS OF LAW

{¶4} 1) 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;

{¶5} 2) Plaintiff has suffered damages in the amount of

\$105.17, 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.

{¶6} 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 \$130.17, 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:

Angela D. Ross, #53356
1479 Collins Avenue
Marysville, Ohio 43040

Plaintiff, Pro se

Jeannette D. Stewart
Acting Inspector
Ohio Reformatory for Women
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For Defendant

DRB/laa
6/16
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