

[Cite as *Hatfield v. Ohio State Hwy. Patrol*, 2004-Ohio-5421.]

IN THE COURT OF CLAIMS OF OHIO

RICHARD M. HATFIELD :

Plaintiff :

v. :

CASE NO. 2004-06941-AD

OHIO STATE HIGHWAY PATROL :

MEMORANDUM DECISION

Defendant :

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THE COURT FINDS THAT:

{¶ 1} On June 28, 2004, plaintiff, Richard M. Hatfield, filed a complaint against defendant, Ohio State Highway Patrol (OSHP), alleging his real property was damaged by an employee of OSHP. Plaintiff submitted the filing fee with his complaint;

{¶ 2} On August 6, 2004, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$225.00.

THE COURT CONCLUDES THAT:

{¶ 3} 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;

{¶ 4} Plaintiff has suffered damages in the amount of \$200.00, 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.

IN THE COURT OF CLAIMS OF OHIO

RICHARD M. HATFIELD :

Plaintiff :  
v. : CASE NO. 2004-06941-AD  
OHIO STATE HIGHWAY PATROL : ENTRY OF ADMINISTRATIVE  
Defendant : DETERMINATION

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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 \$225.00, 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:

Richard M. Hatfield  
3104 O'Possum Run Road  
Mansfield, Ohio 44903

Plaintiff, Pro se

Colonel Paul D. McClellan  
Ohio State Highway Patrol  
P.O. Box 182074  
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For Defendant

RDK/laa  
8/25  
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