

[Cite as *Shuba v. Ohio State Hwy. Patrol*, 2004-Ohio-5149.]

IN THE COURT OF CLAIMS OF OHIO

CHERIE SHUBA	:	
Plaintiff	:	
v.	:	CASE NO. 2004-07271-AD
OHIO STATE HIGHWAY PATROL	:	<u>MEMORANDUM DECISION</u>
Defendant	:	

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THE COURT FINDS THAT:

{¶ 1} 1) On July 12, 2004, plaintiff, Cherie Shuba, filed a complaint against defendant, Ohio State Highway Patrol (OSHP), alleging the actions of OSHP personnel caused her to incur unnecessary expenses to repair her automobile. Plaintiff seeks damages in the amount of \$188.68. Plaintiff submitted the filing fee with her complaint;

{¶ 2} 2) On August 16, 2004, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$188.68.

THE COURT CONCLUDES THAT:

{¶ 3} 1) I find, by a preponderance of the evidence, liability 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} 2) Plaintiff has suffered damages in the amount of \$188.68, 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

CHERIE SHUBA	:	
Plaintiff	:	
v.	:	CASE NO. 2004-07271-AD
OHIO STATE HIGHWAY PATROL	:	<u>ENTRY OF ADMINISTRATIVE</u>
Defendant	:	<u>DETERMINATION</u>

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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 \$213.68, 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:

Cherie Shuba
1905 Three Towers Road
Chandlersville, Ohio 43727

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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