

[Cite as *Thompson v. Ohio Veterans Home*, 2004-Ohio-7291.]

IN THE COURT OF CLAIMS OF OHIO

ARCHIE L. THOMPSON	:	
Plaintiff	:	
v.	:	CASE NO. 2004-08651-AD
OHIO VETERANS HOME	:	<u>MEMORANDUM DECISION</u>
Defendant	:	

: : : : : : : : : : : : : : : :

THE COURT FINDS THAT:

{¶ 1} On September 3, 2004, plaintiff, Archie L. Thompson, filed a complaint against defendant, Ohio Veterans Home (OVHA), alleging he suffered personal injury as a result of negligence on the part of OVHA staff. Plaintiff seeks damages in the amount of \$615.92, for medical treatment expenses. The filing fee was submitted with the complaint;

{¶ 2} On November 5, 2004, defendant filed an investigation report admitting responsibility for plaintiff's medical bills and acknowledging plaintiff suffered damages in the amount of \$615.92, plus filing fee reimbursement.

THE COURT CONCLUDES THAT:

{¶ 3} 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} Plaintiff has suffered damages in the amount of \$615.92, 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

ARCHIE L. THOMPSON	:	
Plaintiff	:	
v.	:	CASE NO. 2004-08651-AD
OHIO VETERANS HOME	:	<u>ENTRY OF ADMINISTRATIVE</u>
Defendant	:	<u>DETERMINATION</u>

: : : : : : : : : : : : : : : :

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 \$637.92, 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:

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Ohio Veterans Home
3416 Columbus Avenue
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Plaintiff, Pro se

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For Defendant

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