

# Court of Claims of Ohio

The Ohio Judicial Center  
65 South Front Street, Third Floor  
Columbus, OH 43215  
614.387.9800 or 1.800.824.8263  
www.cco.state.oh.us

RICHARD TALBERT

Plaintiff

v.

BELMONT CORRECTIONAL INSTITUTION

Defendant

Case No. 2008-02754-AD

Deputy Clerk Daniel R. Borchert

## MEMORANDUM DECISION

### FINDINGS OF FACT

{¶ 1} 1) Plaintiff, Richard Talbert, an inmate incarcerated at defendant, Belmont Correctional Institution (“BeCI”), asserted BeCI staff honored a forged cash slip resulting in unauthorized withdrawals from his inmate account totaling \$700.00, the amount withdrawn from his inmate account. The filing fee was paid.

{¶ 2} 2) Defendant filed an investigation report admitting liability for plaintiff’s loss and acknowledging plaintiff suffered damages in the amount of \$700.00.

### CONCLUSIONS OF LAW

{¶ 3} 1) Negligence on the part of defendant has been established. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD.

{¶ 4} 2) Plaintiff suffered damages in the amount of \$700.00, plus the \$25.00 filing fee, which may be awarded as compensable costs pursuant to R.C. 2335.19. See *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19, 587 N.E. 2d 990.

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## ENTRY OF ADMINISTRATIVE DETERMINATION

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 \$725.00, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT  
Deputy Clerk

Entry cc:

Richard Talbert, #493-339  
68518 Bannock Road, S.R. 331

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RDK/laa

9/24

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