

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

CHRISTY M. MELERT

Plaintiff

v.

STATE HIGHWAY PATROL

Defendant

Case No. 2008-07926-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

FINDINGS OF FACT

{¶ 1} 1) Plaintiff, Christy M. Melert, filed this complaint against defendant, Ohio State Highway Patrol (“OSHP”), alleging that her car, a 2000 Acura TL, was damaged while parked in the lot at the OSHP Exam Station in Massillon, Ohio.

{¶ 2} 2) Plaintiff seeks damages in the amount of \$742.05, the total cost incurred for repairing her automobile. The filing fee was paid.

{¶ 3} 3) Defendant filed an investigation report admitting liability for plaintiff’s loss and acknowledging the damage amount claimed as well as any compensable cost.

CONCLUSIONS OF LAW

{¶ 4} 1) Negligence on the part of defendant has been established. *Johnson v. State Highway Patrol* (2002), 2001-12347-AD; *Zapf v. Highway Patrol*, Ct. of Cl. No. 2006-07511-AD, 2007-Ohio-3104; *Landman v. Ohio State Highway Patrol*, Ct. of Cl. No. 2007-01801-AD, 2007-Ohio-2414.

{¶ 5} 2) Plaintiff has suffered damages in the amount of \$767.05, which includes the \$25.00 filing fee which may be reimbursed 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 \$767.05, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Christy M. Melert
459 E. Hopocan Avenue
Barberton, Ohio 44203

RDK/laa
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Colonel Richard H. Collins
Ohio State Highway Patrol
P.O. Box 182074
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