

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

DAVID P. KLAFTER

Plaintiff

v.

OHIO STATE PATROL

Defendant

Case No. 2009-07717-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

FINDINGS OF FACT

{¶ 1} 1) Plaintiff, David P. Klafter, filed this action against defendant, Ohio State Highway Patrol (OSHP), alleging his vehicle was damaged by the negligent act of an OSHP employee during a salvage inspection. Plaintiff seeks damages in the amount of \$354.90, the total cost of automotive repair expense he incurred. The filing fee was paid.

{¶ 2} 2) Defendant filed an investigation report admitting liability for plaintiff's loss and acknowledging the damage amount claimed.

CONCLUSIONS OF LAW

{¶ 3} 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; *Hutchinson v. State Highway Patrol*, Ct. of Cl. N. 2008-06318-AD, 2008-Ohio-5627; *Kovacik v. Ohio State Hwy. Patrol*, Ct. of Cl. No. 2008-09619-AD, 2009-Ohio-1592.

{¶ 4} 2) Plaintiff has suffered damages in the amount of \$354.90, plus 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 \$379.90, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

David P. Klafter
8506 Achterman Road
Pleasant Plain, Ohio 45162

Captain Kevin Teafor
Ohio State Highway Patrol
P.O. Box 182074
Columbus, Ohio 43218-2074

RDK/laa
10/28
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