

[Cite as *In re Braun*, 2004-Ohio-3517.]

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION

IN RE: NED W. BRAUN	:	Case No. V2003-41069
NED W. BRAUN	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a February 20, 2002 incident. The applicant, a police officer, indicated that he was injured while attempting to apprehend a suspect. On July 15, 2003, the Attorney General denied the applicant’s claim for work loss contending that Officer Braun failed to prove he incurred work loss as a result of the February 20, 2002 incident. On August 13, 2003, the applicant filed a request for reconsideration. On October 14, 2003, the Attorney General denied the claim once again. On October 20, 2003, the applicant filed a notice of appeal to the Attorney General’s Final Decision contending that he incurred special duty work loss for a two month period. On January 29, 2004, this panel of commissioners held a final determination in abeyance, ordered the Attorney General to file a supplemental memorandum addressing the applicant’s total economic loss in light of the panel’s findings. On March 22, 2004, the Attorney General filed a Supplemental Memorandum indicating that the applicant incurred unreimbursed

work loss in the amount of \$6,392.99 from March 19, 2003 through May 2, 2003. To date, the applicant has yet to file a response to the Attorney General's March 22, 2004 Supplemental Memorandum.

{¶2} From review of the file and with full and careful consideration given to all the information presented at the hearing, this panel makes the following determination. We find that the applicant has incurred unreimbursed work loss in the amount of \$6,392.99 from March 19, 2003 through May 2, 2003. Therefore, the October 14, 2003 decision of the Attorney General shall be reversed to award \$6,392.99 to the applicant as unreimbursed work loss. This claim shall be referred to the Attorney General for payment of the award.

{¶3} IT IS THEREFORE ORDERED THAT:

{¶4} 1) The October 14, 2003 decision of the Attorney General is REVERSED to render judgment in favor of the applicant in the amount of \$6,392.99;

{¶5} 2) This claim is referred to the Attorney General pursuant to R.C. 2743.191 for payment of the award;

{¶6} 3) This order is entered without prejudice to the applicant's right to file a supplemental compensation application, within five years of this order, pursuant to R.C. 2743.68;

{¶7} 4) Costs are assumed by the court of claims victims of crime fund.

JAMES H. HEWITT III
Commissioner

CLARK B. WEAVER, SR.
Commissioner

THOMAS H. BAINBRIDGE
Commissioner

ID #\8-dld-tad-042304

A copy of the foregoing was personally served upon the Attorney General and sent by regular mail to Franklin County Prosecuting Attorney and to:

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To S.C. Reporter 6-30-2004