

[Cite as *In re Youssef*, 2004-Ohio-7345.]

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION

IN RE: GEORGE F. YOUSSEF	:	Case No. V2004-60661
GEORGE F. YOUSSEF	:	<u>ORDER OF A THREE-</u>
ODETTE R. YOUSSEF	:	<u>COMMISSIONER PANEL</u>
Applicants	:	
(1993-81111)	:	
	: : : : :	

{¶ 1} The applicants filed a supplemental compensation application seeking additional work loss as a result of the October 30, 1993 assault incident. On March 11, 2004, the Attorney General denied the claim contending that the applicants failed to prove that the victim incurred additional work loss. On April 8, 2004, the applicants filed a request for reconsideration. On June 8, 2004, the Attorney General denied the claim once again. On July 1, 2004, the applicants filed a notice of appeal asserting that Dr. Naugle’s medical report indicates the victim’s inability to complete his medical residency was a direct result of the head injury he sustained during the criminally injurious conduct. Hence, this matter came to be heard before this panel of three commissioners on November 4, 2004 at 11:25 A.M.

{¶ 2} Applicant’s counsel and an Assistant Attorney General attended the hearing and presented brief comments for the panel’s consideration. The Assistant Attorney General stated,

in light of Dr. Naugle's August 26, 2004 letter concerning the victim's present health, that she recommends the claim be remanded to the Attorney General's office to perform new economic loss calculations. Counsel raised no objection to the Assistant Attorney General's recommendation.

{¶ 3} 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 victim has incurred additional work loss as a result of the head injury he sustained during the criminally injurious conduct. Therefore, the June 8, 2004 decision of the Attorney General shall be reversed and the claim shall be remanded to the Attorney General for economic loss calculations and decision consistent with the panel's findings.

IT IS THEREFORE ORDERED THAT

- 1) The June 8, 2004 decision of the Attorney General is REVERSED and judgment is rendered in favor of the applicant;
- 2) This claim is remanded to the Attorney General for economic loss calculations and decision consistent with the panel's findings;
- 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;
- 4) Costs are assumed by the court of claims victims of crime fund.

CLARK B. WEAVER, SR.
Commissioner

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KARL H. SCHNEIDER
Commissioner

THOMAS H. BAINBRIDGE
Commissioner

ID #\3-dld-tad-41122

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

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