

[Cite as *In re Morgan*, 2006-Ohio-1368.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

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IN RE: LORI J. MORGAN	:	Case No. V2005-80665
LORI J. MORGAN	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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{¶ 1} On November 10, 2004, the applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a November 10, 2002 assault incident. On June 10, 2005, the Attorney General denied the claim pursuant to R.C. 2743.56(B) and R.C. 2743.60(A) contending that the applicant failed to file a reparations application within two years of the criminally injurious conduct. On July 1, 2005, the applicant filed a request for reconsideration. On August 30, 2005, the Attorney General granted the applicant an award in the amount of \$5,172.97, of which \$5,099.95 represented unreimbursed allowable expense and \$73.02 represented work loss incurred from November 10, 2002 through November 11, 2002. On September 29, 2005, the applicant filed a notice of appeal to the Attorney General's Final Decision contending that she was fired because she was unable to work as a result of the injuries she sustained during the criminally injurious conduct. Hence, this matter came to be heard before this panel of three commissioners on December 22, 2005 at 11:15 A.M.

{¶ 2} Neither the applicant nor anyone on her behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. The Assistant Attorney General stated that the applicant failed to present

sufficient evidence that she incurred chiropractic treatments related to the criminally injurious conduct or that she incurred additional work loss as a result of the criminally injurious conduct.

{¶ 3} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find that the August 30, 2005 decision of the Attorney General shall be affirmed without prejudice. Should the applicant obtain evidence that she incurred additional economic loss that would be an appropriate basis for filing a supplemental compensation application.

IT IS THEREFORE ORDERED THAT

- 1) The August 30, 2005 decision of the Attorney General is AFFIRMED without prejudice;
- 2) This claim is remanded to the Attorney General for payment of the award;
- 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.

JAMES H. HEWITT III
Commissioner

GREGORY P. BARWELL
Commissioner

RANDI OSTRY LE HOTY
Commissioner

ID #\1-dld-tad-010506

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

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