

[Cite as *In re Fowler*, 2006-Ohio-6323.]

**IN THE COURT OF CLAIMS OF OHIO**

**VICTIMS OF CRIME DIVISION**

www.cco.state.oh.us

IN RE: LARRY E. FOWLER	:	Case No. V2006-20411
LARRY E. FOWLER	:	<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 as a result of a September 3, 2005 OVI related incident. On March 22, 2006, the Attorney General granted the applicant an award of reparations in the amount of \$3,764.90, of which \$1,159.48 represented unreimbursed allowable expense and \$2,605.42 represented unreimbursed work loss incurred from September 6, 2005 through November 22, 2005. On April 4, 2006, the applicant filed a request for reconsideration. On April 28, 2006, the Attorney General determined that no modification of the previous decision was warranted. On May 17, 2006, the applicant filed a notice of appeal to the Attorney General's April 28, 2006 Final Decision. On August 1, 2006, the Attorney General filed a brief indicating that the applicant is entitled to receive an award of reparations in the amount of \$606.04 for expenses incurred at the Cleveland Clinic. Hence, this matter came to be heard before this panel of three commissioners on September 6, 2006 at 10:30 A.M.

{¶2} Neither the applicant nor anyone on his 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 after further review of the claim, it appears that the applicant should be reimbursed \$606.04 for expenses incurred at the Cleveland Clinic.

{¶3} From review of the file and with full consideration given to all the information presented at the hearing, we make the following determination. We find that the applicant incurred an additional \$606.04 in unreimbursed allowable expense. Therefore, the April 28, 2006 decision of the Attorney General shall be reversed to award \$606.04 to the applicant as unreimbursed allowable expense.

IT IS THEREFORE ORDERED THAT

- 1) The April 28, 2006 decision of the Attorney General is REVERSED to render judgment in favor of the applicant in the amount of \$606.04;
- 2) This claim is referred to the Attorney General pursuant to R.C. 2743.191 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.

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THOMAS H. BAINBRIDGE  
Commissioner

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TIM MC CORMACK  
Commissioner

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LLOYD PIERRE-LOUIS  
Commissioner

ID #2-dld-tad-091206

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

Filed 10-26-2006  
Jr. Vol. 2262, Pgs. 52-54  
To S.C. Reporter 11-29-2006

Case No. V2006-20411

-1-

ORDER