

[Cite as *In re Buchanan*, 2006-Ohio-6839.]

**IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION**
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IN RE: JAMES M. BUCHANAN, SR.	:	
ANESSA L. BUCHANAN	:	Case No. V2006-20577
MARY RICHARDSON	:	Case No. V2006-20658
Applicants	:	<u>ORDER OF A THREE-</u>
		<u>COMMISSIONER PANEL</u>
		: : : : :

{¶1} On March 25, 2005, Anessa Buchanan filed a reparations application seeking reimbursement of expenses incurred as a result of the March 1, 2005 murder of James Buchanan. On June 21, 2005, the Attorney General denied the claim pursuant to R.C. 2743.60(E) contending that the victim had been convicted of Attempted Dog Fighting, a fifth degree felony, on November 3, 1998, which is within ten years of the criminally injurious conduct. The Attorney General also denied the claim for dependent's economic loss pursuant to R.C. 2743.52(A), since the victim was not employed at the time of the criminally injurious conduct in order to provide financial support for his minor children. On August 31, 2005, the Attorney General issued a Final Decision denying the claim once again. On February 28, 2006, Mary Richardson filed a reparations application. On April 4, 2006, the Attorney General denied the claim once again pursuant to R.C. 2743.60(E) and R.C. 2743.52(A). On June 23, 2006, Anessa

Buchanan filed a notice of appeal. On September 21, 2006 at 10:40 A.M., this matter came to be heard before this panel of three commissioners.

{¶2} Neither the applicants nor anyone on their behalf appeared at the hearing. An Assistant Attorney General attended the hearing and reiterated her position for denying the claim. After a brief discussion of the matter, the panel chairman concluded the hearing.

{¶3} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find the April 4, 2006 decision of the Attorney General shall be affirmed.

IT IS THEREFORE ORDERED THAT

- 1) The April 4, 2006 decision of the Attorney General is AFFIRMED;
- 2) This claim is DENIED and judgment is rendered for the state of Ohio;

- 3) Costs are assumed by the court of claims victims of crime fund.

GREGORY P. BARWELL
Commissioner

JAMES H. HEWITT III
Commissioner

KARL C. KERSCHNER
Commissioner

ID #\3-dld-tad-092706

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

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ORDER