

[Cite as *In re Perek*, 2007-Ohio-2926.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

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IN RE: LORE J. PEREK	:	Case No. V2006-20763
LORE J. PEREK	:	Commissioners:
Applicant	:	Tim Mc Cormack, Presiding
_____	:	Thomas H. Bainbridge
_____	:	Karl C. Kerschner
	:	<u>ORDER OF A THREE-</u>
	:	<u>COMMISSIONER PANEL</u>
	: : : : :	

{¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred as a result of a June 12, 2005 assault incident. On April 24, 2006, the Attorney General denied the claim pursuant to R.C. 2743.52(A) contending that the applicant failed to prove that she incurred economic loss. On May 23, 2006, the applicant filed a request for reconsideration. On July 17, 2006, the Attorney General denied the claim once again. On August 15, 2006, the applicant filed a notice of appeal to the Attorney General's July 17, 2006 Final Decision. On January 17, 2007, the Attorney General filed a supplemental memorandum indicating the applicant incurred \$5,812.91 in unreimbursed work loss from June 20, 2005 through August 8, 2005. On January 31, 2007, the applicant's attorney filed a motion to remand for payment, wherein he indicated his agreement with the Attorney General's newly recommended

work loss award. On February 8, 2007 at 11:25 A.M., this matter was heard by this panel of three commissioners.

{¶2} Applicant's counsel, via telephone, and an Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. The Assistant Attorney General summarized the case and reiterated her recommendation to grant the applicant a work loss award totaling \$5,812.91. Counsel indicated his agreement with the Attorney General's recommendation.

{¶3} Based upon review of the file and with full and careful consideration given to all the information presented at the hearing, we find that the applicant incurred additional work loss in the amount of \$5,812.91 from June 20, 2005 to August 8, 2005. Therefore, the July 17, 2006 decision of the Attorney General shall be modified to grant the applicant an award in the amount of \$5,812.91 for unreimbursed work loss incurred between June 20, 2005 and August 8, 2005.

{¶4} IT IS THEREFORE ORDERED THAT:

{¶5} 1) The applicant's January 31, 2007 motion for telephone testimony is hereby GRANTED;

{¶6} 2) The July 17, 2006 decision of the Attorney General is MODIFIED to render judgment in favor of the applicant in the amount of \$5,812.91;

{¶7} 3) The claim is remanded to the Attorney General for payment of the \$5,812.91 award;

{¶8} 4) 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;

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

TIM MC CORMACK
Presiding Commissioner

THOMAS H. BAINBRIDGE
Commissioner

KARL C. KERSCHNER
Commissioner

ID #X-dld-laa-2/12/07

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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To S.C. Reporter 6-8-2007

