

Court of Claims of Ohio Victims of Crime Division

The Ohio Judicial Center

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IN RE: DINO K. WILCOX

Case No. V2006-21263

DINO K. WILCOX

Commissioners:
Randi Ostry LeHoty, Presiding
Gregory P. Barwell
Clarence E. Mingo II

Applicant

ORDER OF A THREE-
COMMISSIONER PANEL

{¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to an August 6, 2006 felonious assault incident. On October 19, 2006, the Attorney General denied the claim pursuant to R.C. 2743.52(A) contending that the applicant failed to prove that he incurred any economic loss. On November 29, 2006, the applicant filed a request for reconsideration. On December 12, 2006, the Attorney General denied the claim once again. On December 27, 2006, the applicant filed a notice of appeal to the Attorney General's December 12, 2006 Final Decision. On September 24, 2007, the Attorney General filed a brief recommending the applicant be granted an award for work loss from August 7, 2006 through October 9, 2006. On October 18, 2007 at 10:30 A.M., this matter was heard before this panel of three commissioners.

{¶2} The applicant's counsel and an Assistant Attorney General attended the hearing and presented brief comments for this panel's consideration. The Assistant Attorney General stated that the applicant incurred \$237.36 in work loss from August 7, 2006 through October 9, 2006. The Assistant Attorney General introduced an amended work loss exhibit reflecting the work loss total. The applicant's counsel agreed with the Attorney General's recommendation. The Attorney General and applicant's counsel asked that the claim be remanded for payment.

{¶3} From review of the file and with full consideration given to all the information presented at the hearing, we find that the applicant incurred work loss totaling \$237.36 from August 7, 2006 through October 9, 2006. Therefore, the December 12, 2006 decision of the Attorney General shall be reversed and the applicant shall be granted an award in the amount of \$237.36 for work loss.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The December 12, 2006 decision of the Attorney General is REVERSED and judgment is rendered in favor of the applicant in the amount of \$237.36;

{¶6} 2) This claim is remanded to the Attorney General pursuant to R.C. 2743.191 for payment of the award;

{¶7} 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;

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

RANDI OSTRY LE HOTY
Presiding Commissioner

GREGORY P. BARWELL
Commissioner

CLARENCE E. MINGO II
Commissioner

ID #:\Victim Decisions to SC Reporter\Panel October 2007\V2006-21263.wpd-dld-tad

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

Filed 10-26-2007
Jr. Vol. 2266, Pages 208-210
To S.C. Reporter 11-21-07