

[Cite as *In re Shupe*, 2007-Ohio-4761.]

# Court of Claims of Ohio

## Victims of Crime Division

The Ohio Judicial Center  
65 South Front Street, Fourth Floor  
Columbus, OH 43215  
614.387.9860 or 1.800.824.8263  
www.cco.state.oh.us

IN RE: WILLARD A. SHUPE, JR.

Case No. V2007-90153

WILLARD A. SHUPE, JR.

Commissioners:  
Karl C. Kerschner, Presiding  
Tim McCormack

Applicant

ORDER OF A TWO-  
COMMISSIONER PANEL

{¶1} The applicant filed a reparations application seeking reimbursement of expenses incurred as a result of an August 13, 2005 attempted aggravated murder incident. On December 12, 2006, the Attorney General denied the claim pursuant to R.C. 2743.60(D) contending that all the applicant's economic loss had been or may be recouped from collateral sources. On December 26, 2006, the applicant filed a request for reconsideration. On January 22, 2007, the Attorney General denied the claim once again. On February 22, 2007, the applicant filed a notice of appeal to the Attorney General's January 22, 2007 Final Decision. On July 31, 2007, the Attorney General filed a brief recommending the applicant be granted an award totaling \$13,965.51 for unreimbursed work loss incurred from August 13, 2005 through June 30, 2007. At 10:55 A.M. on August 8, 2007, this matter was heard by this panel of two commissioners.<sup>1</sup>

{¶2} Applicant's counsel, via telephone, and an Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. The

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<sup>1</sup>Commissioner Thomas H. Bainbridge recused himself from the case. The parties did not object to the case being heard by only two commissioners.

Assistant Attorney General reiterated the recommendation to grant the applicant an award, based upon the figures listed in the Attorney General's July 31, 2007 brief. Counsel raised no objection to the Attorney General's recommendation. The presiding commissioner 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 that the applicant incurred \$13,965.51 in unreimbursed work from August 13, 2005 through June 30, 2007. Therefore, the January 22, 2007 decision of the Attorney General shall be modified to grant the applicant an award in the amount of \$13,965.51 for unreimbursed work loss.

{¶4} IT IS THEREFORE ORDERED THAT

{¶5} 1) The January 22, 2007 decision of the Attorney General is MODIFIED to render judgment in favor of the applicant in the amount of \$13,965.51;

{¶6} 2) This claim is remanded to the Attorney General 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.

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KARL C. KERSCHNER  
Presiding Commissioner

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TIM MC CORMACK  
Commissioner

ID #A7-dld-tad-080907

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

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Filed 8-17-2007

Jr. Vol 2266, Pgs. 20-22

To S.C. Reporter 9-13-2007

