

[Cite as *Knox v. Ross Correctional Inst.*, 2003-Ohio-2438.]

IN THE COURT OF CLAIMS OF OHIO

LARRY KNOX :
Plaintiff :
v. : CASE NO. 2002-10542-AD
ROSS CORR. INSTITUTION : MEMORANDUM DECISION
Defendant :

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{¶1} THE COURT FINDS THAT:

{¶2} 1) On December 4, 2002, plaintiff, Larry Knox, filed a complaint against defendant, Ross Correctional Institution, alleging his eyeglasses were lost while under defendant's control. Plaintiff seeks damages in the amount of \$215.00, plus tax;

{¶3} 2) On February 21, 2003, defendant filed an investigation report admitting, but asserting plaintiff's damages should be limited to \$75.00;

{¶4} 3) Plaintiff filed a response where he stated he obtained his eyeglasses during April, 1999.

{¶5} THE COURT CONCLUDES THAT:

{¶6} 1) I find, by a preponderance of the evidence, negligence by defendant has been shown. *Baisden v. Southern Ohio Correctional Facility* (1977), 76-0617-AD; *Stewart v. Ohio National Guard* (1979), 78-0342-AD;

{¶7} 2) Plaintiff has suffered damages in the amount of \$100.00.

{¶8} Having considered all the evidence in the claim file and adopting the memorandum decision concurrently herewith;

{¶9} IT IS ORDERED THAT:

{¶10} 1) Plaintiff's claim is GRANTED and judgment is rendered in favor of the plaintiff;

{¶11} 2) Defendant (Ross Correctional Institution) pay plaintiff (Larry Knox) \$100.00 and such interest as is allowed by law;

{¶12} 3) Court costs are assessed against defendant.

DANIEL R. BORCHERT
Deputy Clerk

Order cc:

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Plaintiff, Pro se

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RDK/laa
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