



proves, by a preponderance of the evidence, information was erroneously listed by defendant. *Ankney v. Bureau of Motor Vehicles* (1998), 97-11045-AD; *Serbanescu v. Bureau of Motor Vehicles* (1994), 93-15038-AD; *Black v. Bureau of Motor Vehicles* (1996), 95-01441-AD.

{¶4} 2) Plaintiff has proven, by a preponderance of the evidence, that her license plate registration was improperly listed as suspended by defendant. *McGee v. Ohio Bureau of Motor Vehicles* (1997), 97-03999-AD.

{¶5} 3) Defendant is liable to plaintiff for damages plaintiff can prove resulted from defendant's negligence. *Patlow v. Bureau of Motor Vehicles* (1997), 97-07820-AD. Plaintiff has proven that she incurred towing and impound costs as a result of defendant's act.

{¶6} 4) Plaintiff has suffered damages in the amount of \$122.00, plus the \$25.00 filing fee, which may be reimbursed as compensable damages pursuant to the holding in *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19.

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

{¶8} IT IS ORDERED THAT:

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

{¶10} 2) Defendant (Bureau of Motor Vehicles) pay plaintiff (Heather Yontz) \$147.00 and such interest as is allowed by law;

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

DANIEL R. BORCHERT  
Deputy Clerk