

[Cite as *Storer v. Ohio Bur. of Motor Vehicles*, 2005-Ohio-4224.]

IN THE COURT OF CLAIMS OF OHIO

NICK STORER :
Plaintiff :
v. : CASE NO. 2005-05604-AD
OHIO BUREAU OF MOTOR VEHICLES : MEMORANDUM DECISION
Defendant :

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FINDINGS OF FACT

{¶ 1} 1) On April 19, 2005, Nick Storer, filed a complaint against defendant, Bureau of Motor Vehicles ("BMV"), alleging his driver's license was improperly listed as suspended and the notification letter of suspension was sent to the wrong address by BMV. Plaintiff stated he incurred vehicle towing expenses as a result of defendant's error concerning his driving status. Plaintiff seeks damages in the amount of \$90.00 for towing and impound fees, plus \$25.00 for filing fee reimbursement. The filing fee was paid.

{¶ 2} 2) On May 16, 2005, defendant filed an investigation report admitting error in recording plaintiff's driving status and mailing a suspension letter to an incorrect address.

CONCLUSIONS OF LAW

{¶ 3} 1) Resulting damages may be recovered when a plaintiff proves, by a preponderance of the evidence, his driver's license was erroneously listed as suspended 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*

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6/22
Filed 7/26/05
Sent to S.C. reporter 8/11/05