[Cite as *Wolfinger v. Southeastern Correctional Inst.*, 2005-Ohio-450.]

IN THE COURT OF CLAIMS OF OHIO

CHRISTINA A. WOLFINGER	:	
Plaintiff	:	
v.	:	CASE NO. 2004-08481-AD
SOUTHEASTERN CORRECTIONAL INSTITUTION	:	MEMORANDUM DECISION
	:	
Defendant		

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THE COURT FINDS THAT:

{¶ 1} 1) On August 25, 2004, plaintiff, Christina A. Wolfinger, filed a complaint against defendant, Southeastern Correctional Institution, alleging her automobile was damaged when the vehicle struck an animal owed by defendant. Plaintiff seeks damages in the amount of $928.42 for automotive repair. The filing fee was submitted with the complaint;

{¶ 2} 2) On November 22, 2004, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of $928.42;

{¶ 3} 3) On December 1, 2004, plaintiff filed a response expressing her agreement with defendant's investigation report.

THE COURT CONCLUDES THAT:

{¶ 4} 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;

{¶ 5} 2) Plaintiff has suffered damages in the amount of $928.42, 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.

IN THE COURT OF CLAIMS OF OHIO

CHRISTINA A. WOLFINGER	:	
Plaintiff	:	
v.	:	CASE NO. 2004-08481-AD
SOUTHEASTERN CORRECTIONAL INSTITUTION	:	ENTRY OF ADMINISTRATIVE DETERMINATION
	:	
Defendant		

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Having considered all the evidence in the claim file and, for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of plaintiff in the amount of $953.42, which includes the filing fee. Court costs are assessed against defendant. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Christina A. Wolfinger
2860 Hamburg Road
Lancaster, Ohio 43130

Plaintiff, Pro se

Gregory C. Trout, Chief Counsel
Department of Rehabilitation
and Correction
1050 Freeway Drive North
Columbus, Ohio 43229

For Defendant

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