

[Cite as *Lockhart v. Ohio State Hwy. Patrol*, 2005-Ohio-5396.]

IN THE COURT OF CLAIMS OF OHIO

LISA LOCKHART :
Plaintiff :
v. : CASE NO. 2005-07356-AD
STATE HIGHWAY PATROL-OHIO : MEMORANDUM DECISION
Defendant :

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THE COURT FINDS THAT:

{¶ 1} On June 8, 2005, plaintiff, Lisa Lockhart, filed a complaint against defendant, Ohio State Highway Patrol ("OSHP"), alleging she incurred automobile towing expenses as a proximate cause of negligent acts on the part of OSHP personnel. Plaintiff seeks damages in the amount of \$306.74 for towing costs, plus \$25.00 for filing fee reimbursement. The filing fee was paid;

{¶ 2} On July 29, 2005, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered the damages claimed;

{¶ 3} On August 23, 2005, plaintiff filed a response.

THE COURT CONCLUDES THAT:

{¶ 4} Negligence on the part of defendant has been shown. *Johnson v. State Highway Patrol* (2002), 2001-12347-AD; *Moro v. Ohio State Highway Patrol*, 2002-04429-AD, 2002-Ohio-4635; *Vastine v. State Highway Patrol*, 2002-10305-AD, 2003-Ohio-1681;

{¶ 5} Plaintiff suffered damages in the amount of \$306.74, plus the \$25.00 filing fee. *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19.

IN THE COURT OF CLAIMS OF OHIO

LISA LOCKHART :
 Plaintiff :
 v. : CASE NO. 2005-07356-AD
 STATE HIGHWAY PATROL-OHIO : ENTRY OF ADMINISTRATIVE
 Defendant : DETERMINATION

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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 \$331.74, 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:

Lisa Lockhart
1205 Louisa Marie NW
Massillon, Ohio 44646

Plaintiff, Pro se

Colonel Paul D. McClellan
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For Defendant

RDK/laa
9/7
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