

[Cite as Rader v. Ohio Dept. of Rehab. & Corr., 2002-Ohio-7243.]

IN THE COURT OF CLAIMS OF OHIO

JEFFREY L. RADER, #A272-631 :  
2500 South Avon-Belden Road :  
Grafton, Ohio 44044 : Case No. 2002-09927-AD

Plaintiff : MEMORANDUM DECISION

v. :

OHIO DEPARTMENT OF :  
REHABILITATION AND CORRECTION :

Defendant :

: : : : : : : : : : : : : : : :

For Defendant: Carl Anderson, Warden  
Grafton Correctional Institution  
2500 S. Avon-Belden Road  
Grafton, Ohio 44044

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THE COURT FINDS THAT:

{¶1} On November 12, 2002, plaintiff, Jeffrey Rader, filed a complaint against defendant, Department of Rehabilitation and Correction, alleging his boots were lost by defendant's personnel. Plaintiff seeks damages in the amount of \$32.90 for property loss, plus \$25.00 for filing fee reimbursement. Plaintiff submitted the filing fee with his complaint;

{¶2} On November 12, 2002, defendant filed an investigation report admitting liability and acknowledging plaintiff suffered damages in the amount of \$57.90.

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{¶3} THE COURT CONCLUDES THAT:

{¶4} 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} Plaintiff has suffered damages in the amount of \$32.90, 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.

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DANIEL R. BORCHERT  
Deputy Clerk

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