

[Cite as *Shaw v. Delaware State Park*, 2004-Ohio-5619.]

IN THE COURT OF CLAIMS OF OHIO

TRAVIS C. SHAW :
Plaintiff :
v. : CASE NO. 2004-07395-AD
DELAWARE STATE PARK : MEMORANDUM DECISION
Defendant :

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THE COURT FINDS THAT:

{¶ 1} On July 15, 2004, plaintiff, Travis C. Shaw, filed a complaint against defendant, Delaware State Park, alleging his boat was damaged as a proximate cause of negligence on the part of defendant. Plaintiff seeks damages in the amount of \$304.76 for repair costs. Plaintiff submitted the filing fee with his complaint;

{¶ 2} On September 16, 2004, defendant filed an investigation report acknowledging plaintiff stated a claim under Chapter 2743 of the Ohio Revised Code.

{¶ 3} On September 22, 2004, plaintiff filed a response.

{¶ 4} THE COURT CONCLUDES THAT:

- 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;
- 2) Plaintiff has suffered damages in the amount of \$304.76, 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

TRAVIS C. SHAW :

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v. :

CASE NO. 2004-07395-AD

DELAWARE STATE PARK :

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 \$329.76, 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:

Travis C. Shaw
174 Stamford Drive
Powell, Ohio 43065

Plaintiff, Pro se

Charles G. Rowan For Defendant
Deputy Chief Counsel
Ohio Department of
Natural Resources
2045 Morse Road D-3
Columbus, Ohio 43229-6605

RDK/laa
9/28
Filed 10/8/04
Sent to S.C. reporter 10/21/04