

{¶ 3} 3) Defendant acknowledged BeCI employees misplaced a box containing paper products assembled by plaintiff. Defendant denied the box contained any photographs or legal documents. Plaintiff's property inventories compiled after March 23, 2004, list assorted photographs and letters/papers being in plaintiff's possession. Defendant contended plaintiff has failed to establish the specific nature of the property contained in the box BeCI employees misplaced. Defendant further contended plaintiff has not produced sufficient evidence to prove the value of his lost property amounted to \$1,267.15. Defendant has admitted liability for property loss in the amount of \$175.00. Defendant has admitted liability for the filing fees of \$25.00.

{¶ 4} 4) In his response to defendant's investigation report, plaintiff insisted he placed photographs and legal materials in the box defendant subsequently lost. Plaintiff reiterated the property items in the box consisted of 150 photos, 4 personal intimate photos of his spouse, 7 homemade cards, 20 homemade art pictures, college enrollment papers, and legal materials. Plaintiff reasserted the real value of the lost property amount to \$1,267.15. Plaintiff compiled a list of the documents, mementos, and photographs. Plaintiff related the following items were contained in the misplaced box:

{¶ 5} "Approx. 120-150 Pictures

{¶ 6} "4 Personal Pictures of Spouse

{¶ 7} "5-7 Homemade cards & mementos

{¶ 8} "Several letter's 40-60 note book pages

{¶ 9} "15-20 store bought holiday cards

{¶ 10} "2 arrest affidavits

{¶ 11} "5 criminal complaints

{¶ 12} "2 police reports

- {¶ 13} "2 copies of indictment
- {¶ 14} "Sentencing transcripts
- {¶ 15} "Motion to withdraw guilty plea
- {¶ 16} "Motion for criminal rule 12(c)
- {¶ 17} "Motion for appointment of counsel
- {¶ 18} "Motion for production of pleading transcripts
- {¶ 19} "Motion for judicial release
- {¶ 20} "State's opposition
- {¶ 21} "Judgment entries
- {¶ 22} "Supplemental Brief motion
- {¶ 23} "States opposition to motion to withdraw
- {¶ 24} "Second judicial motion
- {¶ 25} "Several notebook pages of research material
- {¶ 26} "Two motions from Federal Public Defenders Office
- {¶ 27} "4 Federal Forms
- {¶ 28} "Investigation report from Akron Bar Assoc.
- {¶ 29} "Investigation Report from Columbus Bar Assoc.
- {¶ 30} "Investigation report conclusion from Supreme Court

Dis. Counsel

- {¶ 31} "Several hand written letter's (Evidence material)
- {¶ 32} "2 Notarized statements (Evidence material)
- {¶ 33} "Civil action paperwork
- {¶ 34} "Custody papers and court filings from custody trial
- {¶ 35} "Birth certificate (Mine and my Daughters)
- {¶ 36} "3 Newspaper articles of daughter and grandmother
- {¶ 37} "8-10 Personal (Mine) Art Pictures
- {¶ 38} "College Enrollment papers from Akron university"
- {¶ 39} 5) Assuming the list of articles is a complete and

accurate representation of plaintiff's property loss, the trier of

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 \$225.00, 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:

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DRB/RDK/laa
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