

[Cite as *In re Ross*, 2005-Ohio-7138.]

IN THE COURT OF CLAIMS OF OHIO

VICTIMS OF CRIME DIVISION

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IN RE: TIMOTHY J. ROSS, JR. : Case No. V2005-80576
TIMOTHY J. ROSS, SR. : ORDER OF A THREE-
Applicant : COMMISSIONER PANEL

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{¶ 1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a January 19, 2003 assault incident. On January 18, 2005, the Attorney General denied the applicant's claim pursuant to R.C. 2743.60(D) contending that all the applicant's economic loss had been or may be recouped from collateral sources, namely Qualchoice/Anthem and settlements. On February 28, 2005, the applicant filed a request for reconsideration. On July 5, 2005, the Attorney General granted the applicant an award in the amount of \$170.02. On August 5, 2005, the applicant filed a notice of appeal to the Attorney General's July 5, 2005 Final Decision. Hence, this matter was heard by this panel of three commissioners on November 2, 2005 at 12:45 P.M.

{¶ 2} Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and stated that she recently spoke to the applicant's attorney. The Assistant Attorney General stated that counsel indicated that she wished to dismiss the appeal in lieu of filing a supplemental compensation application. After the hearing and deliberations, the applicant filed a motion to dismiss the appeal.

{¶ 3} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find the July 5, 2005 decision of the Attorney General shall be affirmed.

IT IS THEREFORE ORDERED THAT

- 1) The applicant's November 2, 2005 motion to dismiss the appeal is hereby DENIED;
- 2) The July 5, 2005 decision of the Attorney General is AFFIRMED;
- 3) This claim is remanded to the Attorney General for payment of the \$170.02 award;
- 4) This order is entered without prejudice to the applicant's right to file a supplemental compensation application, within five years of this order, pursuant to R.C. 2743.68;
- 5) Costs are assumed by the court of claims victims of crime fund.

CLARK B. WEAVER, SR.
Commissioner

THOMAS H. BAINBRIDGE
Commissioner

LLOYD PIERRE-LOUIS
Commissioner

ID #\1-dld-tad-110405

A copy of the foregoing was personally served upon the Attorney General and sent by regular mail to Lake County Prosecuting Attorney and to:

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To S.C. Reporter 1-20-2006

