

[Cite as *Baumbick v. Ohio State Patrol*, 2008-Ohio-4191.]

Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

MICHAEL BAUMBICK

Plaintiff

v.

OHIO STATE PATROL

Defendant

Case No. 2007-09291-AD	- 2 -	MEMORANDUM DECISION
------------------------	-------	---------------------

Case No. 2007-09291-AD	- 2 -	MEMORANDUM DECISION
------------------------	-------	---------------------

Case No. 2007-09291-AD

Deputy Clerk Daniel R. Borchert

MEMORANDUM DECISION

FINDINGS OF FACT

{¶ 1} 1) On October 11, 2007, a canine under the control of defendant, Ohio State Highway Patrol, damaged a vehicle owned by plaintiff, Michael A. Baumbick. Plaintiff filed this complaint seeking to recover \$912.05, the cost of automotive repair. Plaintiff submitted the \$25.00 filing fee.

{¶ 2} 2) Defendant filed an investigation report agreeing to reimburse plaintiff the requested damage amount.

CONCLUSIONS OF LAW

{¶ 1} 1) Negligence on the part of defendant has been established. *Spradlin v. Ohio State Highway Patrol*, Ct. of Cl. No. 2002-08971-AD, 2003-Ohio-118.

{¶ 2} 2) Plaintiff has suffered damages in the amount of \$912.05, plus the \$25.00 filing fee, which may be reimbursed as costs pursuant to R.C. 2335.19. See *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19,

Case No. 2007-09291-AD	- 3 -	MEMORANDUM DECISION
------------------------	-------	---------------------

Case No. 2007-09291-AD	- 3 -	MEMORANDUM DECISION
------------------------	-------	---------------------

587 N.E. 2d 990.



Court of Claims of Ohio

The Ohio Judicial Center
65 South Front Street, Third Floor
Columbus, OH 43215
614.387.9800 or 1.800.824.8263
www.cco.state.oh.us

MICHAEL BAUMBICK

Plaintiff

v.

OHIO STATE PATROL

Defendant

Case No. 2007-09291-AD

Deputy Clerk Daniel R. Borchert

ENTRY OF ADMINISTRATIVE
DETERMINATION

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 \$937.05, which includes the filing fee. Court costs are assessed against defendant.

DANIEL R. BORCHERT
Deputy Clerk

Entry cc:

Michael Baumbick
224 Amherst MHP
So. Amherst, Ohio 44001

Colonel Richard H. Collins
Ohio State Highway Patrol
P.O. Box 182074
Columbus, Ohio 43218-2074

RDK/laa
4/9
Filed 5/23/08
Sent to S.C. reporter 8/18/08