



# 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

STEPHEN D. GIBSON

Plaintiff

v.

STATE HIGHWAY PATROL

Defendant

Case No. 2010-01662-AD

Clerk Miles C. Durfey

## MEMORANDUM DECISION

### FINDINGS OF FACT

{¶ 1} 1) Plaintiff, Stephen D. Gibson, filed this complaint against defendant, Ohio State Highway Patrol (OSHP), alleging that the negligent act of OSHP personnel caused damage to the tires on his 2003 GMC Envoy on January 3, 2010. Plaintiff seeks damages in the amount of \$682.90. The \$25.00 filing fee was paid and plaintiff requested reimbursement of that cost along with his damage claim.

{¶ 2} 2) Defendant filed an investigation report admitting liability for plaintiff's loss and acknowledging the damage amount claimed.

{¶ 3} 3) On March 1, 2010, plaintiff submitted a response expressing his agreement with the investigation report.

### CONCLUSIONS OF LAW

{¶ 4} 1) Negligence on the part of defendant has been established. *Johnson v. State Highway Patrol* (2002), 2001-12347-AD; *Zapf v. Highway Patrol*, Ct. of Cl. No. 2006-07511-AD, 2007-Ohio-3104; *Landman v. Ohio State Highway Patrol*, Ct. of

Cl. No. 2007-01801-AD, 2007-Ohio-2414; *Hutchison v. State Highway Patrol*, Ct. of Cl. No. 2008-06318-AD, 2008-Ohio-5627; *Kovacik v. Ohio State Hwy. Patrol*, Ct. of Cl. No. 2008-09619-AD, 2009-Ohio-1592.

{¶ 5} 2) Plaintiff has suffered damages in the amount of \$682.90, plus the \$25.00 filing fee which may be reimbursed as compensable costs pursuant to R.C. 2335.19. See *Bailey v. Ohio Department of Rehabilitation and Correction* (1990), 62 Ohio Misc. 2d 19, 587 N.E. 2d 990.



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### 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 \$707.90, which includes the filing fee. Court costs are assessed against defendant.

MILES C. DURFEY  
Clerk

Entry cc:

Stephen D. Gibson  
542 W. Main Street  
Deshler, Ohio 43516

Colonel David Dicken  
Ohio State Highway Patrol  
P.O. Box 182074  
Columbus, Ohio 43218-2074

RDK/laa  
2/26  
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