

Court of Claims of Ohio Victims of Crime Division

The Ohio Judicial Center

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IN RE: RICHARD A. GARLING

RICHARD A. GARLING

Applicant

Case No. V2007-90404

Commissioners:
Randi Ostry LeHoty, Presiding
Gregory P. Barwell
Clarence E. Mingo II

ORDER OF A THREE- COMMISSIONER PANEL

{¶ 1} The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to an October 7, 2006 shooting incident. On December 12, 2006, the Attorney General denied the applicant an emergency award. On February 1, 2007, the Attorney General denied the claim pursuant to R.C. 2743.60(C). The Attorney General stated that the applicant failed to fully cooperate with law enforcement during the investigation of the October 7, 2006 shooting incident. On February 28, 2007, the applicant filed a request for reconsideration. On April 24, 2007, the Attorney General denied the claim once again. On May 24, 2007, the applicant filed a notice of appeal to the Attorney General's April 24, 2007 Final Decision. On October 18, 2007, this matter was heard before this panel of three commissioners.

{¶ 2} The applicant's attorney and an Assistant Attorney General attended the hearing and presented brief comments for the panel's consideration. The Assistant Attorney General summarized the case and reiterated his position for denying the claim pursuant to R.C. 2743.60(C). Applicant's counsel stated that he has been unable to contact the applicant.

{¶ 3} From review of the file and with full and careful consideration given to all the information presented at the hearing, we find that the April 24, 2007 decision of the Attorney General shall be affirmed.

{¶ 4} IT IS THEREFORE ORDERED THAT

- 1) The April 24, 2007 decision of the Attorney General is AFFIRMED;
- 2) This claim is DENIED and judgment is rendered for the state of Ohio;
- 3) Costs are assumed by the court of claims victims of crime fund.

RANDI OSTRY LE HOTY
Presiding Commissioner

GREGORY P. BARWELL
Commissioner

CLARENCE E. MINGO II
Commissioner

[Cite as *In re Garling*, 2007-Ohio-7261.]

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

Filed 12-14-2007

Jr. Vol. 2267, Pgs. 99-100

To S.C. Reporter 2-14-2008