

IN THE COURT OF CLAIMS OF OHIO

PAUL JOHNSON #637-985
Allen Correctional Institution
P.O. Box 4501
Lima, Ohio 45802

Plaintiff,

v.

OHIO DEPARTMENT OF
REHABILITATION AND CORRECTION
770 West Broad Street
Columbus, Ohio 43222

Defendant.

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Case No.

2012-08907

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COMPLAINT

ORIGINAL

1.) Plaintiff, Paul Johnson, alleges that at all times mentioned herein he was an inmate incarcerated in the Allen Correctional Institution, subject to the control and custody of the Defendant, Ohio Department of Rehabilitation and Correction. Plaintiff alleges for his cause of action that on or about August 14, 2012, he was assigned as a kitchen worker in the Allen Correctional Institution, as a utility worker.

2.) Plaintiff says on or about August 14, 2012, he was ordered to slice cheese which was a duty he was not trained to do or trained to know how to properly use the safety guard on the slicer, which was not attached, all of which Defendants knew and ignored. Plaintiff alleges a supervisor stood and watched him use the equipment, did not tell him to stop and get the safety shield and as Plaintiff worked without training, warning of the need for a safety shield, or warning of the danger, his fingers were caught in the blade, cutting the tips off of two of my fingers.

3.) Plaintiff alleges that Defendants were negligent in ordering Plaintiff to utilize the slicer in an inappropriate and unsafe manner, in allowing Plaintiff to operate the slicer

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without the safety guard or in any manner warning of the danger he was in without the safety guard and in requiring him to engage in work he was not trained to perform and allowing him to operate the machine without a safety shield or guard.

4.) Plaintiff alleges as a direct and proximate result of Defendants' negligence, the tips of his fingers were severed, which has permanently impaired his ability to use his hand. Plaintiff was taken to St. Rita's Medical Center and later to OSU Medical Center where he was treated. Plaintiff alleges he is scheduled for more treatment at OSU Medical Center.

5.) Plaintiff alleges as a direct and proximate cause of Defendants' negligence described herein, his severely injured hand impairs his ability to perform work, he has and still suffers from pain and emotional distress because of the injury.

6.) Plaintiff says the injury received, as a direct and proximate result of Defendants' negligence, is permanent and progressive that will require additional care and treatment, limit his ability to work and earn income upon his release from the institution, and cause him to endure constant pain, discomfort, mental anguish, as well as costs of medical, hospital and psychiatric care.

WHEREFORE, Plaintiff Paul Johnson demands judgment against Defendant Ohio Department of Rehabilitation and Correction in a sum in excess of \$25,000.00, an amount he will provide, pursuant to Civ.R. 8, upon demand.



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December 20, 2012

Court of Claims of Ohio
Attn: Clerk of Courts
65 South Front Street, Third Floor
Columbus, Ohio 43215

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Re: *Paul Johnson v. Ohio Dept. of Rehab. & Corr.*

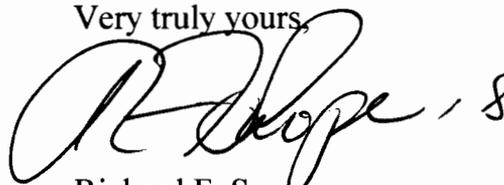
Dear Sir or Madam:

Please find enclosed an original and two copies of a Complaint we wish to file with the Court. You will also find enclosed a check in the amount of \$25.00 for costs.

We would appreciate your filing the same and returning a file-stamped copy in the enclosed self-addressed envelope. *la*

Thank very much you for your cooperation.

Very truly yours,



Richard F. Swope

RFS/sr
Enclosures
cc: client