

ORIGINAL

FILED  
COURT OF CLAIMS  
OF OHIO

2014 MAR -6 PM 3:07

IN THE COURT OF CLAIMS OF OHIO

ROY BUCHANAN,

Plaintiff,

v.

DEPARTMENT OF REHABILITATION  
AND CORRECTION,

Defendant.

00671

Case No. 2013-~~00749~~ →

Magistrate Robert Van Schoyck

ANSWER

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For its answer to Plaintiff's Complaint, Defendant states as follows:

FIRST DEFENSE

1. Defendant admits that Plaintiff Roy Buchanan was an inmate incarcerated at the Hocking Correctional Facility at all times relevant to this Complaint.
2. Defendant denies each and every remaining allegation in the Complaint not specifically admitted herein to be true.

ADDITIONAL DEFENSES

3. The Complaint fails to set forth a claim upon which relief may be granted.
4. Defendant enjoys a privilege.
5. Defendant is immune from liability.
6. Defendant acted in good faith in compliance with the law and not in a wanton and malicious manner.

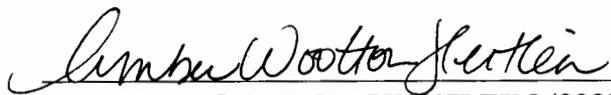
**ON COMPUTER**

7. The allegations in the Complaint challenge matters involving a high degree of official discretion from which Defendant is immune from liability.
8. The negligent and/or intentional acts of Plaintiff, or one or more persons for whose conduct Defendant cannot be liable, were the intervening and superseding causes of the injuries and damages alleged in the Complaint.
9. Plaintiff is barred from recovery because his own negligence caused or contributed to the injuries alleged in the Complaint and was greater than the alleged negligent conduct of Defendant, which has been specifically denied.
10. Defendant gives notice that it intends to rely upon and utilize such other defenses as may become available and/or apparent during the course of discovery, and hereby reserves the right to amend its Answer to assert such defenses.

WHEREFORE, Defendant requests that Plaintiff's Complaint be dismissed in its entirety at Plaintiff's costs and that Defendant be entitled to costs expended herein.

Respectfully submitted,

MICHAEL DEWINE  
Ohio Attorney General

  
AMBER WOOTTON HERTLEIN (0083858)  
Assistant Attorney General  
Court of Claims Defense Section  
150 East Gay Street

18th Floor  
Columbus, Ohio 43215  
T: 614.466.7447 | F: 614.644.9185  
Amber.Hertlein@OhioAttorneyGeneral.gov  
*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served via regular U.S. Mail, postage prepaid, this 6 day of March, 2014, upon the following:

**Roy Buchanan**  
**#A484-576**  
**P.O. Box 59**  
**Nelsonville, Ohio 45764**

  
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**AMBER WOOTTON HERTLEIN (0083858)**  
Assistant Attorney General