STATE OF OHIO
CONTROLLING BOARD
30 East Broad Street, 34th Floor
Columbus, Ohio 43215-3457
(614) 466-5721 FAX:(614) 466-3813

OPERATING TRANSFER

Controlling Board No.
CLA0100016

Status: Approved
Meeting Date: 10/6/2014

GENERAL INFORMATION

Agency
Court of Claims

Division/Institution
Court of Claims

- ○ Waiver of Competitive Selection (Revised Code Section 127.16B)
  - ☐ No Competitive Opportunity
  - ☐ Agency Released Competitive Opportunity
- ○ Agency Released Competitive Opportunity (Revised Code Section 127.162)
- ○ Other Statutory Authority/Bill Section:
- ◉ Operating Transfer Request (Revised Code Section 127.14)
  - ☑ Appropriation
  - ☑ Cash
  - ☐ Other Statutory Authority/Bill Section:

Fiscal Year(s)
2015

Bill No.
HB 59

Eligible for OBM Director Approval?
No

TRANSER INFORMATION

From	To	FY	Fund Group	Fund Code	Appropriation Line Item	Appropriation Line Item Name	Transfer Amount	Prev Rel Amount
CEB01		2015		5KM0	911614	CB EMERGENCY PURPOSE	$82,000.00	$0.00
	CLA01	2015		GRF	015402	WRONGFUL IMPRISONMENT FUND	$82,000.00	$0.00

SIGNATURES

Mark H. Reed

Agency Director or Authorized Agent

09/15/2014

Date

10/06/2014

On The Date Of

Randy Cole

Controlling Board President/OBM Director

AGENCY CONTACT

Name: Jennie B Parks
Title: Director of Operations
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REQUIRED EXPLANATION OF REQUEST

The Court of Claims respectfully requests Controlling Board approval to transfer appropriation and cash in the amount of $82,000.00 from fund 5KM0, ALI 911614 (CB Emergency Purposes), to the Court of Claims of Ohio GRF fund, ALI 015402 (Wrongful Imprisonment Fund), in FY15, for payment of an award to plaintiff, Scott Chessman, for damages resulting from his wrongful imprisonment by the State of Ohio from May 4, 2009 through July 16, 2010.

R.C. 2743.48(A) defines a wrongfully imprisoned individual as one: (1) who was charged with a felony (2) who was found guilty of a felony (3) who was sentenced to a term of imprisonment in a state correctional institution (4) whose conviction was vacated, or dismissed, or reversed on appeal (5) and where, subsequent to sentencing and/or imprisonment, an error in procedure resulted in the individual's release, or it was determined by a court of common pleas that the offense of which the individual was found guilty either was not committed by the individual or was not committed by any person.

Further, R.C. 2743.48(E) provides that in a civil action in the Court of Claims the complainant may establish that the claimant was a wrongfully imprisoned individual by submitting to the Court of Claims a certified copy of both the judgment entry and the determination of the court of common pleas that the claimant was a wrongfully imprisoned individual.

The plaintiff has shown that he meets all conditions for wrongful imprisonment and has, in addition, submitted the determination of the court of common pleas of Montgomery County to that effect. The plaintiff meets the definition of a wrongfully imprisoned individual.

On September 12, 2014, the Court of Claims approved the settlement agreement granting Plaintiff damages in the amount of $82,000.00.

Attachments **Controlling Board Request No.: CLA0100016**

Attachment Type	Attachment Description
Other	Settlement Agreement
Other	Entry Approving Settlement