



# Mary Taylor, CPA

## Auditor of State

January 28, 2009

Miles C. Durfey, Clerk of the Court  
Ohio Court of Claims  
The Ohio Judicial Center  
65 South Front Street, Third Floor  
Columbus, Ohio 43215

Dear Clerk Durfey:

I am writing, as required by Ohio Revised Code (ORC) section 2743.49, to report to you on the adjustments calculated by the Auditor of State's Office regarding the amount owed to an individual who has been found to be wrongfully convicted and imprisoned in the State of Ohio.

ORC 2743.48 provides a process for an individual who has been wrongfully convicted and imprisoned for commission of a felony criminal offense to file a civil action against the state. Included in this statute is an amount which an individual is entitled to recover for each full year in which the person was wrongfully imprisoned. This amount is to be prorated for any partial year that the individual was wrongfully imprisoned. ORC 2743.49, as described below, provides a mechanism for the Auditor of State to adjust the amount of wrongful imprisonment awards every two years based on changes to the consumer price index (CPI). The amount as determined in ORC 2743.49 (A)(1) and effective for the years 2007 and 2008 was \$44,203.56.

ORC 2743.49 requires that in each odd numbered year, the Auditor of State shall adjust the amount owed to a wrongfully imprisoned individual, based on the yearly average of the CPI for the previous two years, and shall forward a report of the adjusted amount to the Ohio General Assembly, as well as the Ohio Court of Claims. The amount as adjusted by the Auditor of State is to be in effect for the next two years. This letter is intended to satisfy the reporting requirement of this statute.

**Based on the formula provided in ORC 2743.49, the new adjusted amount for wrongful imprisonment awards is \$47,209.40.** This amount is to be in effect for 2009 and 2010. As described in ORC 2743.49, this report and all related documents are public record and are available for copying and inspection in my office. Please do not hesitate to contact my office if you need additional information about this report or if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink that reads "Mary Taylor".

Mary Taylor, CPA  
Auditor of State

MT/pas

Enclosure

**2009 Certification of Wrongful Imprisonment**

1) Using the Yearly average for the immediately preceding even-numbered year (2008) as the base year...	215.3
2) The auditor of state shall compare the most current average consumer price index (2008)...	215.3
3) With that determined in the preceding odd numbered year (2006 determined in 2007)...	201.6
4) And shall determine the percentage increase or decrease.	6.8%
5) The auditor of state shall multiply the percentage increase or decrease by the actual dollar figure specified in division (E)(2)(b) of section 2743.48 of the Revised Code (or the actual dollar figure determined from the previous odd-numbered year under this section)...	\$44,203.56
6) And shall add the product to or subtract the product from...	\$3,005.84
7) Its corresponding actual dollar figure, as applicable, for the previous odd-numbered year.	\$44,203.56
<b>2009 Recertified Amount</b>	<b>\$47,209.40</b>



**Auditor of State  
Mary Taylor, CPA**

88 East Broad Street  
Columbus, Ohio 43215

RETURN SERVICE REQUESTED



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JAN 29 2009  
COURT OF CLAIMS, C

**HAND DELIVER**

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The Ohio Judicial Center  
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Columbus, Ohio 43215