

OHIO COURT OF CLAIMS

Cephas v. Ohio Dept. of Rehab. & Corr.

2026-Ohio-326 · No. 2024-00825JD · Decided January 28, 2026

SUMMARY

An Ohio Court of Claims magistrate considered damages after the Ohio Department of Rehabilitation and Correction stipulated that its employees breached their duty of care and caused harm when an inmate was attacked by other inmates. The magistrate found that the plaintiff established temporary physical injuries, pain and suffering, and emotional distress, but did not prove that the attack caused his need for hip-replacement surgery. The magistrate recommended an award of \$175,000 in compensatory damages plus the \$25 filing fee.

CASE DETAILS

COURT	Ohio Court of Claims
WRITING FOR THE COURT	Gary Peterson, Magistrate
JURISDICTION	Ohio Court of Claims
DECIDED	January 28, 2026
DOCKET	2024-00825JD
DISPOSITION	other
PROCEDURAL POSTURE	An inmate brought a negligence action against the Ohio Department of Rehabilitation and Correction. The Department stipulated that its employees breached their duty of care and that the breach proximately caused harm. After the stipulation was approved, the magistrate conducted a trial limited to damages and recommended judgment for the plaintiff.
STANDARD OF REVIEW	Plaintiff bore the burden of proving the nature and extent of damages by a preponderance of the evidence and was required to establish damages with reasonable certainty rather than speculation or conjecture. Expert testimony was required to establish causation for medical issues outside a layperson's knowledge.
PRECEDENTIAL VALUE	Published magistrate decision; subject to objections and adoption under Ohio Civ.R. 53.
PARTIES	Ernest Cephas v. Ohio Department of Rehabilitation and Correction

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QUESTIONS PRESENTED

1. What compensatory damages did plaintiff prove after the defendant stipulated to duty, breach, and proximate causation?
2. Whether plaintiff proved that the attack caused a need for hip-replacement surgery.
3. Whether plaintiff proved pain-and-suffering and emotional-distress damages with sufficient certainty.

HOLDINGS

1. Plaintiff did not prove that the attack caused the need for hip-replacement surgery because he presented no expert testimony establishing that causal connection, and the medical evidence characterized his hip condition as degenerative osteoarthritis rather than an acute injury.
2. Plaintiff proved compensable pain-and-suffering and emotional-distress damages arising from the approximately 90-minute beating, rape, and restraint, including injuries that gradually healed over approximately one month.
3. Plaintiff was entitled to \$175,000 in compensatory damages, plus the \$25 filing fee, for a total recommended award of \$175,025.

KEY QUOTATIONS

““damages must be shown with reasonable certainty and may not be based upon mere speculation or conjecture”” (§ 11)

“The assessment of such damage is, however, a matter solely for the determination of the trier of fact because there is no standard by which such pain and suffering may be measured.” (§ 14)

“Based upon the foregoing, plaintiff is entitled to compensatory damages in the amount of \$175,000, plus the \$25 filing fee, for a total award of \$175,025.” (§ 19)

FACTUAL BACKGROUND

On April 9, 2023, approximately eight inmates entered plaintiff's cell at the Lebanon Correctional Institution and beat, bound, and raped him for approximately 90 minutes before correctional staff intervened. Plaintiff sustained a scalp laceration, concussion, nasal fracture, contusions, abrasions, swelling, pain, and emotional distress, and received treatment at two medical centers. Medical evidence indicated that his hip osteoarthritis was degenerative wear and tear rather than an acute injury caused by the attack.

PROCEDURAL HISTORY

Plaintiff was attacked and raped by other inmates at the Lebanon Correctional Institution. On December 4, 2025, the defendant stipulated to duty, breach, and proximate causation. Following a damages-only trial, the magistrate recommended an award of \$175,000 in compensatory damages plus the \$25 filing fee, subject to objections under Civil Rule 53.

DISPOSITION

other

CASES CITED

- *Armstrong v. Best Buy Co., Inc.*, 2003-Ohio-2573, ¶ 8
- *Meniffee v. Ohio Welding Prod., Inc.*, 15 Ohio St.3d 75, 77 (1984)
- *Forester v. Ohio Dept. of Rehab. & Corr.*, 2011-Ohio-6296, ¶ 7 (10th Dist.)
- *N. Coast Premier Soccer, LLC v. Ohio Dept. of Transp.*, 2013-Ohio-1677, ¶ 17 (10th Dist.)
- *Landis v. William Fannin Builders, Inc.*, 2011-Ohio-1489, ¶ 37 (10th Dist.)
- *Fantozzi v. Sandusky Cement Prods. Co.*, 64 Ohio St.3d 601, 612 (1992)
- *Jayashree Restaurants, LLC v. DDR PTC Outparcel LLC*, 2016-Ohio-5498, ¶ 13 (10th Dist.)
- *Akro-Plastics v. Drake Indus.*, 115 Ohio App.3d 221, 226 (11th Dist. 1996)
- *Rakich v. Anthem Blue Cross & Blue Shield*, 2007-Ohio-3739, ¶ 20
- *Mills v. Best W. Springdale*, 2009-Ohio-2901, ¶ 20 (10th Dist.)
- *Woodworth v. New York Cent. RR. Co.*, 149 Ohio St. 543, 549 (1948)
- *Harris v. Ohio Dept. of Rehab. & Corr.*, 2013-Ohio-5714, ¶ 16 (10th Dist.)
- *Stacey v. Carnegie-Illinois Steel Corp.*, 156 Ohio St. 205 (1951)
- *Tunks v. Chrysler Group LLC*, 2013-Ohio-5183, ¶ 18 (6th Dist.)
- *Corwin v. St. Anthony Med. Ctr.*, 80 Ohio App.3d 836, 840-841 (10th Dist.)
- *Schadhauser v. Ohio Dept. of Rehab. & Corr.*, 2018-Ohio-3282, ¶ 11 (10th Dist.)
- *Wright v. Columbus*, 2006-Ohio-759, ¶ 19 (10th Dist.)
- *Flory v. New York Central RR Co.*, 170 Ohio St. 185, 190 (1959)
- *Hohn v. Ohio Dept. of Mental Retardation & Developmental Disabilities*, 1993 Ohio App. LEXIS 6023, 10-11 (10th Dist. Dec. 14, 1993)
- *McCombs v. Ohio Dept. of Dev. Disabilities*, 2022-Ohio-1035, ¶ 29 (10th Dist.)
- *Lester v. Ohio Dept. of Rehab. & Corr.*, 2022-Ohio-2729 (Ct. of Cl.)
- *Shivers v. University of Cincinnati*, 2005-Ohio-949, ¶ 2 (Ct. of Cl.)
- *Shivers v. University of Cincinnati*, 2006-Ohio-625, ¶ 4 (Ct. of Cl.)
- *Shivers v. Univ. of Cincinnati*, 2006-Ohio-5518, ¶ 2 (10th Dist.)