

Chad Patrick
9964 Chautauqua Rd.
Miamisburg, Ohio 45342

V.

Defendants-Appellees

(Judge _____)

COMPLAINT

1. Plaintiff states that at all times herein mentioned, he was an employee of Defendant, Tri-State Serv Station Maint., Inc., and that said Defendant is duly licensed to do business in the State of Ohio, and that on or about May 17, 2024, and for some time prior thereto and since, was amenable to the Workers' Compensation Act of Ohio.

2. Plaintiff states that Stephanie McCloud is the duly qualified Administrator of the Bureau of Workers' Compensation by virtue of the statutes of the State of Ohio.

3. Plaintiff states that on or about May 17, 2024, while in the course and scope of and arising out of his employment for Defendant-Employer, Tri-State Serv Station Maint., Inc., while opening a container, it exploded and injured his body, including his head.

4. Plaintiff filed a claim with the Ohio Bureau of Workers' Compensation which was assigned claim number 24-140596, and which recognizes a number of conditions.

5. On December 13, 2024, a C-86 motion was filed to have his claim recognize the addition condition(s): “concussion with loss of consciousness, vertigo of central origin, myoclonic jerking while sleeping, cognitive decline and post concussion syndrome.”

6. On February 5, 2025, Plaintiff’s Motion came on for hearing before a District Hearing Officer. The District Hearing Officer allowed the claim for “concussion with loss of consciousness,” and disallowed the claim for “post concussion syndrome.” The remaining conditions were dismissed at the request of the Plaintiff. Plaintiff-Appellant filed an appeal from this Order to the Staff Hearing Officer who, following a hearing on March 26, 2025, affirmed the decision of the District Hearing Officer. Plaintiff-Appellant filed an appeal to the Industrial Commission of Ohio. On April 19, 2025, the Industrial Commission placed an order refusing to hear Plaintiff-Appellant’s appeal. Plaintiff-

Appellant herein files his Notice of Appeal and Complaint with the Franklin County Common Pleas Court, pursuant to Ohio R.C. Section 4123.512 only on the issue of the disallowance of the condition: “Post concussion syndrome.”

7. Plaintiff states that he suffers from: “post concussion syndrome,” due to his industrial injury of May 17, 2024.

8. Plaintiff states that this condition arose out of and was in the course of his employment, and that the harm suffered by the Plaintiff was proximately caused by the industrial injury of May 17, 2024, whether directly, by flow through, or due to substantial aggravation.

W H E R E F O R E, Plaintiff having set forth the basis of the jurisdiction of this Court over the action, prays that further proceedings be had in accordance with the Code of Civil Procedure, and asks that he be allowed to participate under the Workers' Compensation Act of Ohio for “post concussion syndrome,” and for his costs herein expended and for such other relief as he may be entitled to under Sec. 4123.512 Ohio Revised Code.

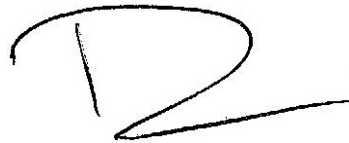
Respectfully submitted,



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JURY DEMAND

Plaintiff herein demands a trial by jury.



Daniel R. Allnutt, Esq. (0085452)

REQUEST FOR SERVICE

TO THE CLERK:

Please transmit by certified mail, return receipt requested, a copy of the foregoing Appeal and Workers' Compensation Complaint upon the following parties all in accordance with the provisions of Sec. 4123.512 Ohio Revised Code.

Tri-State Serv Station Maint., Inc.
4104 Germantown Pike
Dayton, Ohio 45417

and

Stephanie McCloud, Admin.
Bureau of Workers' Compensation
30 West Spring Street
Columbus, OH 43215-2233

A handwritten signature in black ink, appearing to be 'D. Allnutt', with a stylized, elongated 'Z' or '2' shape at the end.

Daniel R. Allnutt, Esq. (0085452)
Attorney for Plaintiff