

# **Bond Case Briefs**

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## **MISAPPROPRIATION - INDIANA**

### **Robertson v. State**

**Supreme Court of Indiana - March 30, 2020 - N.E.3d - 2020 WL 1501683**

Office of Attorney General (OAG) two brought claims against county bookkeeper for misappropriation of public funds and sought relief under the Crime Victims Relief Act (CVRA).

The Superior Court denied bookkeeper's motion to dismiss. Bookkeeper appealed. The Court of Appeal affirmed. Transfer was granted.

The Supreme Court held that:

- Statute of limitations on claim to recover misappropriated public funds did not begin until OAG received a final, verified audit report, and
- Cause of action for relief under CVRA accrued, and statute of limitations began to run, when State Board of Accounts (SBOA) provided OAG with copy of its preliminary investigatory report.

Statute of limitations for Office of Attorney General (OAG)'s complaint against county bookkeeper to recover misappropriated public funds did not begin until OAG received from State Board of Accounts (SBOA) the final, verified audit report.

Office of Attorney General's (OAG) cause of action against county bookkeeper, seeking relief under the Crime Victims Relief Act (CVRA) for her alleged misappropriation of public funds, accrued, and two-year statute of limitations period began to run, when State Board of Accounts (SBOA) provided OAG with copy of its preliminary investigative report, such that OAG knew or should have known of the injury.