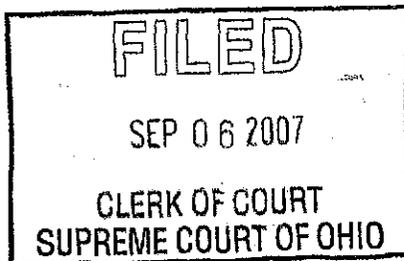


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## IN THE SUPREME COURT OF OHIO

Case No.: 07-1496

Richard Ruffier III  
6401 Jeffers  
Swanton, Ohio 43558

Relator,

v.

Judge Gary Byers  
Maumee Municipal Court  
400 Conant Street  
Maumee, Ohio 43537-7136

Respondent

**APPLICATION TO DISMISS WITHOUT  
PREJUDICE COMPLAINT FOR WRIT  
OF PROHIBITION**

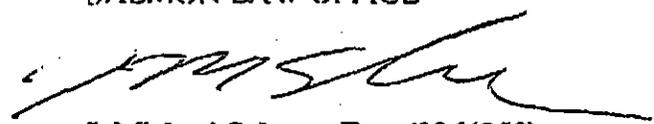
J. Michael salmon  
SALMON LAW OFFICE  
P.O. Box 461  
Neapolis, Ohio 43547-0461  
Tel: 419-260-0263  
e-mail: mksalmon@adelphia.net

Now comes Relator, Richard Ruffier III, by and through his attorney, J. Michael Salmon, of Salmon Law Office, and moves this Court to Dismiss, without prejudice, the Complaint for Writ of Prohibition filed on August 13, 2007. Respondent has complied with the dictates of ORC 2701.031 by forwarding the Affidavit of Disqualification to Judge Puffenburger, Presiding Judge of the Lucas County Common Pleas Court. In addition, Respondant, through legal counsel, Neema M. Bell, has promised to further comply with all aspects of ORC 2701.031, in particular promising not to determine a matter that affects Relator's substantive rights. Relator agrees that Judge Byers retains

authority to reschedule pre-trial hearings while this matter is pending before Judge Puffenberger.

Respectfully submitted,

SALMON LAW OFFICE



J. Michael Salmon, Esq. (0064258)

**CERTIFICATION**

This is to certify that the above Motion was via fax to Neema Bell, counsel for Respondent, at 419-241-6894 on this 6<sup>th</sup> day of September, 2007.

  
J. Michael Salmon