

IN THE SUPREME COURT OF OHIO

Jeffrey C. Keith #334-054  
Trumbull Correctional Institution  
5701 Burnett Road  
Leavittsburg, Ohio 44430  
Petitioner – Appellant,

Case No.: **07-1982**

On Appeal from the Portage  
County Court of Appeals  
Eleventh Appellate District

v.

David Bobby, Warden  
Trumbull Correctional Institution  
5701 Burnett Road  
Leavittsburg, Ohio 44430  
Respondent – Appellee.

Court of Appeals  
Case No. 07PA27

No Hearing Date Set

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MOTION FOR DISQUALIFICATION OF  
CHIEF JUSTICE IN THE ABOVE CAPTIONED CASE

---

Now comes Jeffery C. Keith, pro se, pursuant to the Code of Judicial Conduct, Cannon 3, Section G and requests Chief Justice Thomas Moyer to disqualify himself from the above captioned case.

Memorandum In Support Attached.

Jeffrey C. Keith #334-054  
Trumbull Correctional Institution  
5701 Burnett Road  
Leavittsburg, Ohio 4443

COUNSEL FOR APPELLANT,  
PRO SE

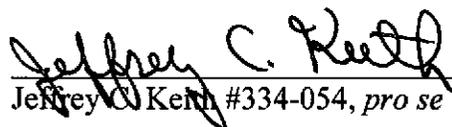


Marc Dann (#  
Attorney General  
Asst. Attorney General  
Corrections Litigation Section  
150 E. Gay Street, 16<sup>th</sup> Floor  
Columbus, OH 43215

COUNSEL FOR APPELLEE,  
STATE OF OHIO

### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion for Disqualification of the Chief Justice was sent via regular U.S. Mail, postage pre-paid, to Marc Dann, Attorney for Respondent, David Bobby, 17<sup>th</sup> Floor State Office tower, 30 East Broad Street, Columbus, Ohio 43215, and a true copy sent to Chief Justice Thomas Moyer at 9<sup>th</sup> Floor, 65 South Front Street, Columbus Ohio 43215- 3431 on this 19 day of October, 2007.

  
Jeffrey C. Keith #334-054, *pro se*

## Memorandum In Support

This case is a Habeas Corpus action addressing the illegal agreement of parties in the underlying actions practicing “judge shopping”, and included in these actions were references to the Supreme Court’s approval of these acts on the record. See Appx. 17-18. The alleged selection in this back room agreement was an out-of-county judge, who only the Chief Justice, per the Ohio Constitution Section 5(A)(3), Article IV, has the authority to assign. See Appx.2 column 1, paragraph 1. In 2002, the Eight District Court of Appeals caught this glaring error during an oral argument and reviewed the entire records of all three cases before it and found, sua sponte, and on subject matter jurisdictional challenge by the petitioner, that the decisions of the out-of-county judge were void as a matter of law. See Appx. 1-2, 3-8.

In addition, on December 3, 1995 the Chief Justice signed an order removing Judge Daniel Gaul from one of the three cases. See Appx. 10. In that order, the Chief Justice specifically ordered the Court of Common Pleas to reassign the case presided over by Judge Gaul. See Appx. 10 paragraph 2. On May 13, 2002, the Chief Justice signed another order, which would appear to assign retroactively an out-of-county judge to the petitioner’s cases. See Appx. 9. There is no provision in the Ohio Constitution for the after-the-fact assignment of an out-of-county judge to a case that he has already improperly heard. From December 1, 1995 until the present, the petitioner has had no legitimate tribunal to place motions before. As a result, dozens of motions and hearings are void. There can be no appeal from a void judgment. Nor are there any rights from a void judgment. A void judgment is a nullity.

The Petitioner–Appellant respectfully requests that Chief Justice Thomas Moyer disqualify himself from the above captioned case.

Cannon 3, Section G(1)(a) states: (1) A justice shall disqualify himself or herself in a proceeding in which the justice's impartiality might reasonably be questioned, including but not limited to instances where:

(a) the justice has personal bias or prejudice concerning a party, or personal knowledge of disputed facts concerning the proceedings; and

(d)(iii) is known by the justice to have an interest that could be substantially affected by the outcome of the proceedings; or

(d)(iv) is to the justice's knowledge likely to be a material witness in the proceeding.

The Chief Justice has actual knowledge that he did not assign an out-of-county judge to any of the Petitioner's cases, and the out-of-county judge's appearance in the proceedings was due to an illegal agreement between the state and counsel. Appendix 11 – 12. Not until 2006 did any legitimate authority request the Chief Justice assign a judge to any of Petitioner's proceedings. On that date, Nancy R. McDonnell, the Presiding Administrative Judge of Cuyahoga County, requested the Supreme Court assign a visiting judge. See Appx. 19. There is no record of a proper assignment by the Chief Justice to any of Petitioner's cases. See Appx. 1, ¶ 3, last sentence: "In deed the record contains no record form the Ohio Supreme Court appointing [an out-of-county judge] to this case."

The properly assigned judges were removed by the illegal back room agreement depriving Petitioner of a fair tribunal. As of this date, the Chief Justice has not assigned a judge to these cases. Since December 1, 1995, the Petitioner has had no adequate remedy at law and continues to have his due process rights violated. See Appendix 10.

The Chief Justice, at one point, stated that the out-of-county judge chosen by the illegal agreement could continue to hear Petitioner's cases when in fact he was never properly assigned

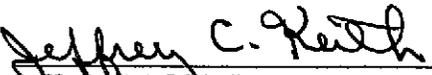
to them in the first place, as determined by the Eighth District Court of Appeals. Appendix 1 – 2, 3 – 8, 9, 11, 15.

As a result, the Chief Justice has acquired a substantial interest in the present case and will be called as a material witness to disputed evidentiary facts in any proceedings.

It is not reasonable to expect that the Chief Justice can be impartial in proceedings where his actions and personal responsibilities, under the Ohio Constitution Section 5(A)(3), Article IV, are directly at issue.

Therefore, the Petitioner requests that the Chief Justice disqualify himself from the above captioned proceedings so the Petitioner will have a fair tribunal to litigate the important issues now before it.

Respectfully Submitted,

  
Jeffrey C. Keith #334-054, pro se

# **APPENDIX**

CHECK OHIO SUPREME COURT RULES FOR  
REPORTING OF OPINIONS AND WEIGHT OF  
LEGAL AUTHORITY.

Court of Appeals of Ohio,  
Eighth District, Cuyahoga County.

STATE of Ohio, Plaintiff-Appellee,  
v.  
Jeffrey C. KEITH, Defendant-Appellant.

No. 81125.

Decided Dec. 26, 2002.

Criminal Appeal from Common Pleas Court, Case  
No. CR-316724.

William D. Mason, Cuyahoga County Prosecutor,  
Lisa Reitz Williamson, Assistant, Cleveland, OH,  
for Plaintiff-Appellee.

Jeffrey C. Keith, Grafton, OH, for Defendant-  
Appellant.

TIMOTHY E. McMONAGLE, A.J.

\*1 {¶ 1} Defendant-appellant, Jeffrey C. Keith,  
appeals the decision of the Cuyahoga County  
Common Pleas Court that granted the motion to  
dismiss filed by plaintiff-appellee, State of Ohio, on  
appellant's motion for a new trial. For the reasons  
that follow, we dismiss this appeal.

{¶ 2} During the September 1994 term, a grand  
jury indicted appellant for multiple counts of arson  
and a single count of grand theft of a motor vehicle.  
The case was assigned number CR-316724 and to  
the docket of Judge Daniel Gaul. In July 1995, a  
jury found appellant guilty of five of the seven arson  
charges as well as the charge for grand theft. The  
trial court sentenced appellant to an aggregate 15 to  
25-year term of imprisonment. This court affirmed  
appellant's convictions and sentence on appeal. See  
*State v. Keith* (Mar. 13, 1997), Cuyahoga App. No.  
69267, 1997 Ohio App. Lexis 914, discretionary  
appeal not allowed (1997), 79 Ohio St.3d 1460  
(hereinafter referred to as "*Keith I*").

{¶ 3} Nonetheless, while *Keith I* was still pending  
in this court, the trial court journalized an entry on

May 20, 1996 that contained a statement that the  
Ohio Supreme Court had appointed Judge Joseph  
Cirigliano to preside over this case as well as  
several other cases then pending against the  
appellant in the trial court. The trial court thereafter  
journalized an entry on November 1, 1996 stating  
that the instant case had already been heard and  
disposed of by Judge Daniel Gaul and, further, that  
the case "should not have been assigned to Judge  
Joseph E. Cirigliano." Indeed, the record contains  
no entry from the Ohio Supreme Court appointing  
Judge Cirigliano to this case.

{¶ 4} In March 1998, appellant filed a document  
requesting a hearing under Crim.R. 33(B), which  
the state construed as a motion for a new trial and  
opposed in due course. In January 2002, appellant  
filed a motion for leave to file a motion for new  
trial, which the state opposed by filing a motion to  
dismiss. The trial court eventually granted the state's  
motion in an entry signed by Judge Cirigliano.

{¶ 5} Appellant is now before this court and  
challenges the trial court's decision granting the  
state's motion to dismiss that, in effect, denied his  
request for a new trial. We, however, find it  
unnecessary to address the merits of appellant's  
appeal because the trial judge was without authority  
to rule on the motions pending in the trial court as  
they pertain to this case.

{¶ 6} Under Sup.R. 36(B)(2), "each multi-judge  
general \* \* \* division of the court of common pleas  
shall adopt the individual assignment system for the  
assignment of all cases to judges of the division."  
This assignment system provides that "upon the  
filing in or transfer to the court of a division of the  
court, a case immediately is assigned by lot to a  
judge of the division, who becomes primarily  
responsible for the determination of every issue and  
proceeding the case until its termination. Sup.R.  
36(B)(1). The record in this case unequivocally  
supports that Judge Gaul was assigned to preside  
over this case. While the Ohio Constitution [FN1]  
and the Rules of Superintendence allow for the  
temporary assignment of visiting judges, no such  
assignment is evident from the record in this case.  
Judge Cirigliano was, therefore, without authority to  
enter the order granting the state's motion to  
dismiss.

FN1. The Constitution provides, "the chief justice or acting chief justice, as necessity arises, shall assign any judge of a court of common pleas or a division thereof temporarily to sit or hold court on any other court of common pleas or division thereof \* \* \*." Section 5(A)(3), Article IV, Ohio Constitution.

\*2 {¶ 7} The state counters rather reluctantly that Judge Gaul did enter an order on April 17, 2002 that similarly granted the state's motion as had Judge Cirigliano and this appeal, if anything, is premature under App.R. 4(C). [FN2] We see no such order contained in the record and, even if true, the trial court was without jurisdiction to enter such an order. See *Howard v. Catholic Soc. Serv. of Cuyahoga Cty., Inc.* (1994), 70 Ohio St.3d 141, 146 . Reiterating, Judge Cirigliano's order was journalized March 13, 2002 and appellant filed his notice of appeal on April 5, 2002. A trial court retains only that jurisdiction not inconsistent with that of an appellate court. *Id.*; see, also, *Ksiezzyk v. Cleveland* (Dec. 6, 2001), Cuyahoga App. No. 78881 at 8-9.

FN2. App. R. 4(C) provides that "[a] notice of appeal filed after the announcement of a decision, order, or sentence but before entry of the judgment or order that begins the running of the appeal time period is treated as filed immediately after the entry." In this case, there was no "announcement" of decision prior to the alleged April 17th entry nor can we construe the entry signed by Judge Cirigliano as an announcement of decision.

{¶ 8} Since Judge Cirigliano had no authority to enter the order granting the state's motion to dismiss, the judgment is void. It necessarily follows that no appeal can be taken from a void judgment. See *Faralli Custom Kitchen and Bath, Inc. v. Bailey* (1995), 107 Ohio App.3d 598, 600; see, also, *Short v. Onweller*, 6th Dist. No. F-02-005, 2002-Ohio-2290, ¶ 11, citing *Reed v. Montgomery*

*Cry. Bd. of Mental Retardation and Developmental Disabilities* (Apr. 27, 1995), 10th Dist. No. 94APE10-1490, 1995 Ohio App. Lexis 1755.

Appeal dismissed.

This appeal is dismissed.

It is, therefore, ordered that appellant recover from appellant costs herein taxed.

It is ordered that a special mandate be sent to the Cuyahoga County Court of Common Pleas directing said court to carry this judgment into execution.

A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

N.B. This entry is an announcement of the court's decision. See App.R. 22(B), 22(D) and 26(A); Loc.App.R. 22. This decision will be journalized and will become the judgment and order of the court pursuant to App.R. 22(E) unless a motion for reconsideration with supporting brief, per App.R. 26(A), is filed within ten (10) days of the announcement of the court's decision. The time period for review by the Supreme Court of Ohio shall begin to run upon the journalization of this court's announcement of decision by the clerk per App.R. 22(E). See, also, S.Ct.Prac.R. II, Section 2(A)(1).

MICHAEL J. CORRIGAN, J., and DIANE KARPINSKI, J., CONCUR.

2002 WL 31875968 (Ohio App. 8 Dist.),  
2002-Ohio-7250

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IN THE COURT OF APPEAL  
EIGHTH APPELLATE DISTRICT  
CUYAHOGA COUNTY, OHIO

STATE OF OHIO  
PLAINTIFF-APPELLEE

C.O.A. NO. 81874  
81875

LOWER COURT NO. CP CR 333972  
CP CR 350831

V CONSOLIDATED NOV. 19, 2002  
APPX. 9

JEFFREY C. KEITH  
DEFENDANT-APPELLANT

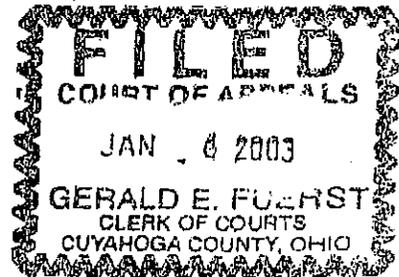
SUBJECT JURISDICTIONAL  
CHALLENGE

MOTION TO DISMISS CONSOLIDATED APPEALS

Now comes appellant, Jeffrey C. Keith, pro se and requests the court to dismiss the above captioned consolidated appeals as the decisions they are based on are void for lack of jurisdiction by the Judge, Joseph Cirigliano.

Memorandum in support attached.

Jeffrey C. Keith  
Jeffrey C. Keith 334-054 pro se  
LORCI  
2075 South Avon Belden Rd.  
Grafton, Ohio 44044



William Mason, Cuyahoga County Prosecutor for the Appellee  
1200 Ontario St.  
Cleveland, Ohio 44113

Service

A true copy of the foregoing motion sent to William Mason on this 4th day of January 2003 at 1200 Ontario, Cleveland, Ohio 44113 by ordinary US mail.

Jeffrey C. Keith  
Jeffrey C. Keith

MEMORANDUM IN SUPPORT

THE FACTS

On December, 26, 2002, the Eighth District Court of Appeals ruled on a companion case to those above captioned. The case was C.O.A. 81125 from common pleas CR 316724 and the decision is attached at appendix 3-8. The judge involved was Joseph Cirigliano and the decision was by Administrative Judge Timothy McMonagle. Appx. 3-8.

Judge McMonagle wrote: "since Judge Cirigliano had no authority to enter the order granting the state's motion to dismiss, the judgment is void. It necessarily follows that no appeal can be taken from a void judgment." Appx. 7 paragraph 1.

Judge McMonagle's argument is straightforward. He pointed to the fact that Judge Joseph Cirigliano was never appointed to the case by the Supreme Court from the beginning. Appx. 5 top of page; 6 paragraph 1. Judge McMonagle wrote, "indeed, the record contains no entry from the Ohio Supreme Court appointing Judge Cirigliano to this case." Appx. 5 top of page.

Judge McMonagle discusses a May 20, 1996 statement and journalized entry of discussions between attorney Jay Milano and assistant county prosecutor Frank Gasper and signed by Judge James J. Sweeney. Appx. 1; 4 paragraph 3. That same document was the authority that was used by attorney Jay Milano to contact Judge Joseph Cirigliano at his home in Elyria and request that he conduct proceedings in CR 333972, C.O.A. 81874.

Cirigliano then arranged for court space. The same document was then used as the rationale for Judge Cirigliano to conduct proceedings in CR 350831, C.O.A. 81875. The Supreme Court never entered anything assigning the cases to Judge Cirigliano because attorney Jay Milano or assistant county prosecutor Frank Jasper never motioned the Supreme Court to do so. In fact, the document of May 20, 1996 only memorializes in chambers conversations and proposals with Judge James J. Sweeney, no one ever followed through with the request to the Supreme Court. Judge James J. Sweeney has actual knowledge of these facts and disqualified himself in the proceedings of C.O.A. 81125. Appx. 1;2.

As a result of this situation, on December 26, 2002, Judge Timothy McMonagle voided and dismissed the companion case to the above captioned cases, C.O.A. 81125. Appx. 3-8.

The statement of May 20, 1996 involving CR 316724, CR 333972 (C.O.A. 81874) and the continued authority for CR 350831 (81875) was no more than a memorialization of a proposal that was never followed through on. Appx. 1. Judge McMonagle clearly figured the situation out and voided Judge Cirigliano's ruling in the companion case to the above captioned cases. Appx. 5 top; 6 paragraph 1. Certainly, attorney Jay Milano and /or assistant county prosecutor Frank Gasper do not have the authority to appoint a judge to a case, and neither of them ever motioned the Supreme Court to do so, which is why there is no entry by the Supreme Court to assign Judge Joseph Cirigliano to the above captioned cases or their companion

case CR 316724. As such the decisions of Judge Joseph Cirigliano are void for lack of jurisdiction and the appeal should be dismissed without reaching the merits as, in the words of Judge McMonagle, "no appeal can be taken from a void judgment". Appx, 7 paragraph 1.

It is respectfully requested that the above consolidated appeal be dismissed as Judge Cirigliano lacked jurisdiction to hear the cases in the first place as he was never assigned them by the Supreme Court.



THEN COURT ON ITS OWN  
DISMISSED APPEALS FROM  
CR 350831, CR 333972 FOR LACK OF  
JURISDICTION

Case No: 81875

STATE OF OHIO VS. JEFFREY  
C. KEITH

SUA SPONTE, APPEAL IS  
DISMISSED PER ENTRY  
344898.

CORRIGAN, M., J., CONCUR  
ROCCO, K., P.J.



FROM:

Court of Appeals of Ohio  
Eighth Appellate District  
One Lakeside Ave.  
Cleveland, Ohio 44113  
Date: 01/07/2003

TO:

JEFFREY C. KEITH  
INMATE NO. 334-054  
LORAIN CORRECTIONAL INST.  
2075 S. AVON-BELDEN ROAD  
GRAFTON, OH 44044

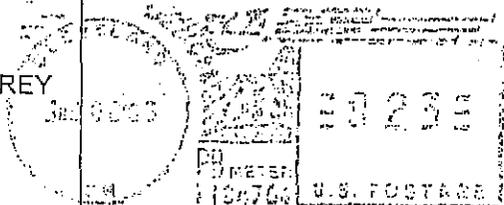


Case No: 81874

STATE OF OHIO VS. JEFFREY  
C. KEITH

SUA SPONTE, APPEAL IS  
DISMISSED PER ENTRY  
344898.

CORRIGAN, M., J., CONCUR  
ROCCO, K., P.J.



FROM:

Court of Appeals of Ohio  
Eighth Appellate District  
One Lakeside Ave.  
Cleveland, Ohio 44113  
Date: 01/07/2003

TO:

JEFFREY C. KEITH  
INMATE NO. 334-054  
LORAIN CORRECTIONAL INST.  
2075 S. AVON-BELDEN ROAD

IN THE SUPREME COURT OF OHIO

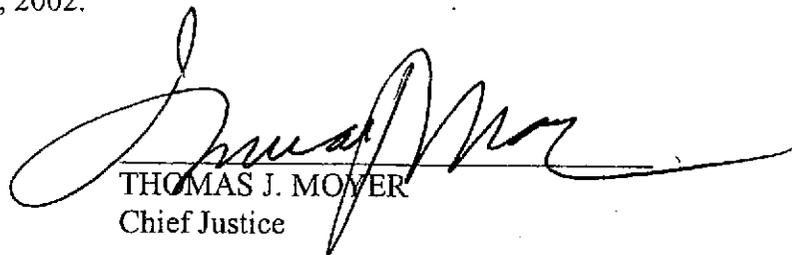
STATE OF OHIO : CASE NO. 316724, 333972, 350831  
PLAINTIFF : CUYAHOGA COUNTY  
V. : S.C. NO. 02-AP-053  
JEFFREY C. KEITH :  
DEFENDANT : ENTRY

This affidavit of disqualification was filed by Jeffrey Keith seeking the disqualification of retired Judge Joseph Cirigliano, sitting by assignment in Cuyahoga County, from further proceedings regarding the above-captioned case.

In support of his claim of bias and prejudice, affiant references legal and procedural rulings made by Judge Cirigliano that I have held do not establish the existence of bias or prejudice. *In re Disqualification of Murphy* (1988), 36 Ohio St.3d 605. The rulings cited by affiant in support of his claim of disqualification are subject to review on appeal.

For these reasons, the affidavit of disqualification is found not well-taken and denied. The case shall proceed before Judge Cirigliano.

Dated this 13<sup>th</sup> day of May, 2002.

  
THOMAS J. MOYER  
Chief Justice

Copies to: Marcia Mengel, Supreme Court Clerk  
Honorable Joseph Cirigliano  
Gerald Fuerst, Cuyahoga County Clerk of Court  
Jeffrey C. Keith

IN THE SUPREME COURT OF OHIO

10.  
*[Handwritten initials]*

JAMES DRAHOS, ET AL. : CASE NO. CV 242677  
 PLAINTIFFS. : CUYAHOGA COUNTY  
 V. : S.C. NO. 95-AP-158  
 JEFFREY C. KEITH :  
 DEFENDANT. : ENTRY

This affidavit of disqualification was filed by Jeffrey C. Keith seeking the disqualification of Judge Daniel Gaul from further proceedings in the above-captioned case.

By letter dated December 1, 1995, Judge Gaul denied any bias or prejudice but recused himself from the case to "avoid even the slightest appearance of impropriety." Therefore, the issue of Judge Gaul's disqualification is moot and the case is returned to the Cuyahoga County Court of Common Pleas for reassignment.

Dated this 3<sup>rd</sup> day of December, 1995.

*[Handwritten Signature]*  
 THOMAS J. MOYER  
 Chief Justice

Copies to: Marcia J. Mengel, Supreme Court Clerk  
 Honorable Daniel Gaul  
 Gerald Fuerst, Cuyahoga County Clerk of Courts

RECEIVED FOR FILING

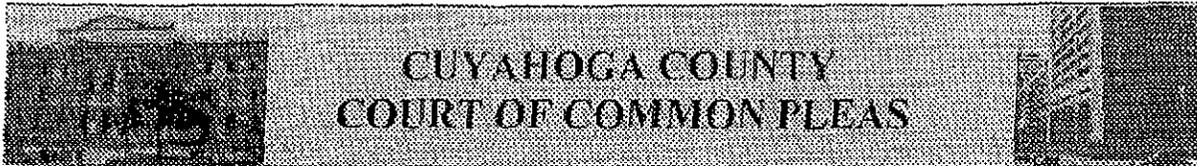
DEC - 8 1995

GERALD E. EVERST, CLERK  
BY *[Signature]* DEP.

VOL. 912 PG 689

THE STATE OF OHIO }  
 Cuyahoga County } SS. I, Jay Miller, CLERK OF  
 THE COURT OF COMMON PLEAS  
 WITHIN AND FOR SAID COUNTY,  
 HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS TRULY  
 TAKEN AND COPIED FROM THE ORIGINAL *[Signature]*  
 NOW ON FILE IN MY OFFICE. CV 242677  
 WITNESS MY HAND AND SEAL OF SAID COURT THIS 6  
 DAY OF Dec 06  
 GERALD E. FUERST, Clerk  
 By *[Signature]* Deputy

11.



**Case Note**

**Case: 333972 DEF#: 0141173 Name: JEFFREY KEITH**

**JUDGE: TIMOTHY MCCORMICK**

**DATE: 1996/02/13 TIME: 08:59:14**

**DESCRIPTION: ARRAIGNMENT JE FILE DATE: 0000/00/00**

DEFENDANT FULLY ADVISED IN OPEN COURT OF HIS/HER CONSTITUTIONAL RIGHTS,

READING OF INDICTMENT WAIVED.

TWENTY-FOUR HOUR SERVICE WAIVED.

DEFENDANT PRESENT WITH COUNSEL.

DEFN RETAINED JAY MILANO AS COUNSEL.

DEFN PLEAD NOT GUILTY TO INDICTMENT.

JUDGE JOHN L ANGELOTTA ASSIGNED TO CASE

BOND SET AT 20,000 DOLLARS. BOND TYPE: CASH/SURETY/PROP.

ADDITIONAL AMOUNT OF BAIL AS SET FORTH IN ORC. 2743.70 AND ORC. 2949.091

..DXR 02/13/96 08:59

PROPERLY  
ASSIGNED JUDGE

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/02/27 TIME: 08:57:33**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

MFD/BOP MAILED AND FILED-MW

..MXV 02/27/96 08:57

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/02/29 TIME: 14:38:54**

**DESCRIPTION: MOTION FILED JE FILE DATE: 0000/00/00**

MOTION FOR DISCOVERY, MOTION FOR BILL OF PARTICULARS, REQUEST FOR EVIDENC

E, DONNELLY HAS FILE-MW

..MXV 03/01/96 14:38

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/03/07 TIME: 15:38:51**

**DESCRIPTION: MOTION JE FILE DATE: 0000/00/00**

DEFENDANT'S MOTION FOR BILL OF PARTICULARS IS GRANTED.

..EDB 03/20/96 15:38

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/03/20 TIME: 15:54:28**

**DESCRIPTION: TRANSFERRED JE FILE DATE: 0000/00/00**

BY AGREEMENT OF COUNSEL FOR PARTIES, CASE TRANSFERRED TO JUDGE

JAMES J. SWEENEY FOR RE-ASSIGNMENT TO VISITING OUT OF COUNTY JUDGE.

..EDB 03/21/96 15:54

By a Agreement  
COUNSEL REMOVES  
FROM ANGELOTTA

**JUDGE: JAMES J SWEENEY**

**DATE: 1996/04/26 TIME: 09:18:53**

**DESCRIPTION: JE FILE DATE: 0000/00/00**

CR 316724, CR 332934, CR 333972. ATTORNEY JAY MILANO. PROSECUTOR FRANK JASPER. THE SUPREME COURT HAS ASSIGNED JUDGE JOSEPH CIRIGLIANO TO HANDLE THE ABOVE CASES.

HEARD BY JUDGE J.J. SWEENEY

..CLF 05/14/96 09:18

**JUDGE: JOSEPH E CIRIGLIANO**

**DATE: 1996/05/08 TIME: 09:14:44**

**DESCRIPTION: JE FILE DATE: 0000/00/00**

ATTORNEY JAY MILANO. PROSECUTOR FRANK GASPER. PRE-TRIAL HELD AND RESET FOR MAY 14, 1996 AT 1:30 P.M.

HEARD BY JUDGE CIRIGLIANO

CORRECTED ENTRY NOTES 8/15/96 CLF: JUDGE # CHANGE \*\*\*\*\*

..CLF 08/15/96 15:23

**JUDGE: JOSEPH E CIRIGLIANO**

**DATE: 1996/05/14 TIME: 13:51:22**

**DESCRIPTION: SCHEDULE JE FILE DATE: 0000/00/00**

PRETRIAL HELD.

TRIAL SET FOR AUGUST 13, 1996 AT 9:00 A.M.

HEARD BY JUDGE CIRIGLIANO.

CORRECTED ENTRY NOTES 5/17/96 JEB: JUDGE # CHANGE \*\*\*\*\*

..CLF 08/15/96 15:22

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/06/13 TIME: 11:16:19**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

MOTION TO SUBPOENA FOR PRODUCTION OF DOCUMENTARY EVIDENCE; PATTON NO FILE -MW

..DXP 06/13/96 11:16

**JUDGE: JANET R BURNSIDE**

**DATE: 1996/06/17 TIME: 11:05:11**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

MOTION TO SUBPEONA FOR PRODUCTION OF DOCUMENTARY EVIDENCE; DONNELLY HAS FILE- TK

..DXP 06/18/96 11:05

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/06/28 TIME: 10:01:52**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

MOTION TO TERMINATE RESTRIIVE VISITATION PROCEDURES, PATTON HAS ALL FILES, DP

..DXP 07/01/96 10:01

**JUDGE: JOSEPH E CIRIGLIANO**

**DATE: 1996/07/19 TIME: 11:19:01**

**DESCRIPTION: SCHEDULE JE FILE DATE: 0000/00/00**

PRETRIAL HELD. PRETRIAL SET FOR AUGUST 6, 1996 AT 11:00 A.M.

TRIAL SET FOR AUGUST 13, 1996 AT 9:00 A.M.

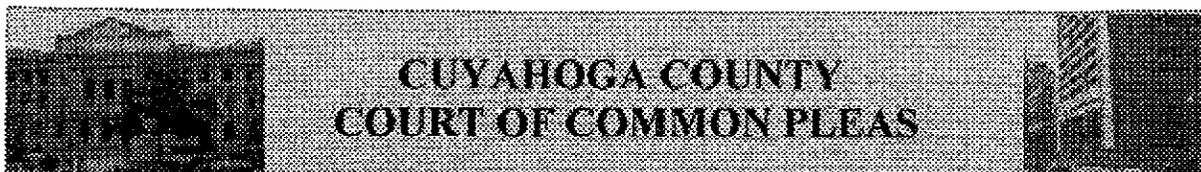
..EDB 07/22/96 11:19

**JUDGE: JOSEPH E CIRIGLIANO**

**DATE: 1996/07/31 TIME: 09:15:10**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

12.  
J\*  
COUNSEL AGREES TO ASSIGN OUT OF COUNTY JUDGE



**CUYAHOGA COUNTY  
COURT OF COMMON PLEAS**

**Case Docket**

**CASE: 350831 DEF#: 0141173 NAME: JEFFREY KEITH DOB: 03/18/1949 GENDER: MALE**

**06/04/97 09:00-NXT.SCH.ARRAIGN ARREST . CLEVELAND JUDGE: JOSEPH E CIRIGLIANO**

**FILE NUM.=CPD CASE CLOSED  
DEFN LEAVING  
JAIL**

**05/19/97 JAIL TOTAL COSTS: \$4,980**

**05/19/97 INDICTED.ORIGINAL JAIL DAYS BALANCE UNPAID: \$4,980**

**06/04/97 ARRAIGNED MUNICIPAL= 0.**

**04/29/99 SENTENCE STATUTE NUMBER CASE CHARGES**

**BOND INFORMATION**

**2913.31 FORGERY  
2913.31 UTTERING  
2913.02 ATT AGG THEFT  
2921.12 TAMPERING WITH EVIDENCE  
2921.11 PERJURY**

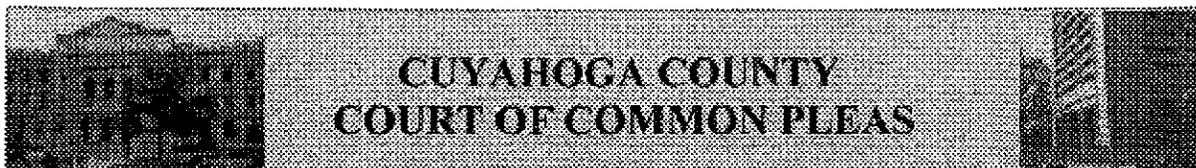
**JOSEPH E CIRIGLIANO**

**04/29/99 DISP.FND GLTY-JURY TO INDICT SENTENCED 05 YRS**

**MUST PAY COST,**

- Other Cases
  - Other Defendants
  - Attorney Listing
  - Display All Notes
  - Re
- Exit**

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## Case Note

**Case: 350831 DEF#: 0141173 Name: JEFFREY KEITH**

**JUDGE: RICHARD J MCMONAGLE**

**DATE: 1989/04/24 TIME: 13:27:28**

**DESCRIPTION: RETURN DEFT JE FILE DATE: 0000/00/00**

COURT ORDERS DEFENDANT, JEFFREY KEITH RETURNED FORTHWITH FROM THE LORAIN CORRECTION INSTITUTION FOR HEARING ON MAY 1, 1998 AT 8:30 A.M., FOR FURTHER PORCEEDINGS.

DATE OF BIRTH 3/18/49; SSN 273-42-2903.

WARRANT FOR REMOVAL \*\*\*\*\* SHERIFF TO TRANSPORT DEFENDANT HEARD BY ADM JUDGE R. J. MCMONAGLE

..VMA 04/24/98 13:27

**JUDGE: FRANK D CELEBREZZE JR.**

**DATE: 1997/05/22 TIME: 09:53:38**

**DESCRIPTION: CONTINUANCE JE FILE DATE: 0000/00/00**

CASE CONTINUED TO 06/10/97 AT DEFENDANT REQUEST.

..DXR 05/22/97 09:53

**JUDGE: NANCY R MCDONNELL**

**DATE: 1997/06/02 TIME: 09:46:29**

**DESCRIPTION: CONTINUANCE JE FILE DATE: 0000/00/00**

CASE CONTINUED TO 06/04/97 AT DEFENDANT REQUEST.

..DXR 06/02/97 09:46

**JUDGE: NANCY R MCDONNELL**

**DATE: 1997/06/03 TIME: 09:55:29**

**DESCRIPTION: RETURN DEFT JE FILE DATE: 0000/00/00**

SHERIFF IS ORDERED TO RETURN THE DEFENDANT FROM THE LORAIN CORRECTIONAL INSTITUTION TO COUNTY JAIL FOR ARRAIGNMENT ON JUNE 4, 1997.

(WHITE/MALE; DOB: 3/18/49/ SS# 273-42-2903)

HEARD BY JUDGE NANCY MCDONNELL

..MAB 06/03/97 09:55

**JUDGE: NANCY R MCDONNELL**

**DATE: 1997/06/04 TIME: 09:47:06**

**DESCRIPTION: ARRAIGNMENT JE FILE DATE: 0000/00/00**

DEFENDANT FULLY ADVISED IN OPEN COURT OF HIS/HER CONSTITUTIONAL RIGHTS.

READING OF INDICTMENT WAIVED.

CR 350831

15.

TWENTY-FOUR HOUR SERVICE WAIVED.  
 DEFENDANT PRESENT WITH COUNSEL.  
 DEFN RETAINED JOHN J GILL AS COUNSEL.  
 DEFN PLEAD NOT GUILTY TO INDICTMENT.  
 JUDGE MARY J BOYLE ASSIGNED TO CASE.

BOND SET AT 10,000 DOLLARS. BOND TYPE: CASH/SURETY/PROP.  
 ADDITIONAL AMOUNT OF BAIL AS SET FORTH IN ORC. 2743.70 AND ORC. 2949.091  
 ..DXR 06/04/97 09:47

**JUDGE: MARY J BOYLE**  
**DATE: 1997/06/16 TIME: 08:46:39**  
**DESCRIPTION: JE FILE DATE: 0000/00/00**

PRE-TRIAL SET FOR JULY 2, 1997 AT 9:00 A.M. AT THE DEFENDANT'S REQUEST.  
 STATE PROSECUTOR ON VACATION UNABLE TO HOLD PRE-TRIAL.  
 ..BXM 06/17/97 08:46

**JUDGE: RICHARD J MCMONAGLE**  
**DATE: 1997/06/30 TIME: 09:13:05**  
**DESCRIPTION: JE FILE DATE: 0000/00/00**

ALL CRIMINAL MATTER RE: CR 350831 THIS MATTER AND ANY FURTHER CRIMINAL  
 MATTER RE: JEFFREY KEITH TO BE REFERRED TO JUDGE JOSEPH CIRIGLIANO.  
 ..ITT 07/02/97 15:04

**JUDGE: MARY J BOYLE**  
**DATE: 1997/07/01 TIME: 15:29:09**  
**DESCRIPTION: TRANSFERRED JE FILE DATE: 0000/00/00**

DEFENDANT'S CASE CR 350831 IS TRANSFERRED TO JUDGE JOSEPH CIRIGLIANO  
 PER JOURNAL ENTRY OF PRESIDING JUDGE RICHARD MCMONAGLE DATED JUNE 30, 1997.  
 ..JEB 07/02/97 15:29

**JUDGE: MARY J BOYLE**  
**DATE: 1997/07/07 TIME: 13:33:31**  
**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

DEFENDANT'S ANSWER IN OPPOSITION TO MOTION TO TRANSFER CASE, CANFIL HAS  
 FILE, DP  
 ..DXP 07/08/97 13:33

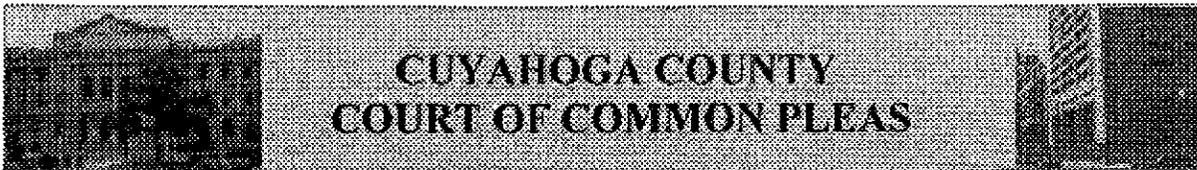
**JUDGE: RICHARD J MCMONAGLE**  
**DATE: 1997/07/08 TIME: 11:25:49**  
**DESCRIPTION: RETURN DEFT JE FILE DATE: 0000/00/00**

SHERIFF IS HEREBY ORDERED TO RETURN THE DEFENDANT, JEFFREY KEITH, BACK  
 TO THE LORAIN CORRECTIONAL INSTITUTION FROM THE CUYAHOGA COUNTY JAIL.  
 HEARD BY PRESIDING JUDGE RICHARD MC MONAGLE  
 ..PAK 07/08/97 11:25

**JUDGE: JOSEPH E CIRIGLIANO**  
**DATE: 1997/07/17 TIME: 15:58:50**  
**DESCRIPTION: JE FILE DATE: 0000/00/00**

PRETRIAL SET FOR JULY 28, 1997 AT 11:00 A.M. IN HEARING ROOM # 137  
 IN LAKESIDE COURTHOUSE. IT IS SO ORDERED.  
 ..MAB 07/17/97 15:58

PROPERLY  
 ASSIGNED  
 JUDGE BOYLE



### Case Docket

**CASE: 333972**    **DEF#: 0141173**    **NAME: JEFFREY KEITH**    **DOB: 03/18/1949 GENDER: MALE**  
**02/13/96**    **09:00-NXT.SCH.ARRAIGN**    **JUDGE: JOSEPH E CIRIGLIANO**  
**ARREST . CLEVELAND**    **CASE CLOSED**  
**FILE NUM.=CPD**    **DEFN LEAVING JAIL**  
**09/12/95**    **JAIL**    **TOTAL COSTS: \$3,133**  
**02/08/96**    **INDICTED.ORIGINAL**    **JAIL DAYS**    **BALANCE UNPAID: \$3,133**  
**02/13/96**    **ARRAIGNED**    **MUNICIPAL= 0.**  
**03/07/97**    **SENTENCE**    **STATUTE NUMBER**    **CASE CHARGES**

**BOND INFORMATION**

2913.02    **THEFT**  
 2913.02    **THEFT**  
 2913.40    **MEDICAID FRAUD**  
 2913.43    **SECUR WRITINGS BY DECEPT**  
 2913.02    **THEFT**

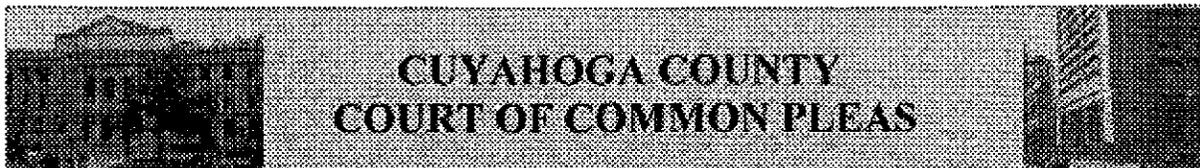
**JOSEPH E CIRIGLIANO**

**03/07/97**    **DISP.FND GLTY-JURY TO INDICT SENTENCED 10 YRS 06 M**

**MUST PAY COST,**

[Other Cases](#)    [Other Defendants](#)    [Attorney Listing](#)    [Display All Notes](#)    [Re](#)  
[Exit](#)

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## Case Note

**Case: 333972 DEF#: 0141173 Name: JEFFREY KEITH**

**JUDGE: TIMOTHY MCCORMICK**

**DATE: 1996/02/13 TIME: 08:59:14**

**DESCRIPTION: ARRAIGNMENT JE FILE DATE: 0000/00/00**

DEFENDANT FULLY ADVISED IN OPEN COURT OF HIS/HER CONSTITUTIONAL RIGHTS.

READING OF INDICTMENT WAIVED.

TWENTY-FOUR HOUR SERVICE WAIVED.

DEFENDANT PRESENT WITH COUNSEL.

DEFN RETAINED JAY MILANO AS COUNSEL.

DEFN PLEAD NOT GUILTY TO INDICTMENT.

JUDGE JOHN L ANGELOTTA ASSIGNED TO CASE.

BOND SET AT 20,000 DOLLARS. BOND TYPE: CASH/SURETY/PROP.

ADDITIONAL AMOUNT OF BAIL AS SET FORTH IN ORC. 2743.70 AND ORC. 2949.091

..DXR 02/13/96 08:59

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/02/27 TIME: 08:57:33**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

MFD/BOP MAILED AND FILED-MW

..MXV 02/27/96 08:57

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/02/29 TIME: 14:38:54**

**DESCRIPTION: MOTION FILED JE FILE DATE: 0000/00/00**

MOTION FOR DISCOVERY, MOTION FOR BILL OF PARTICULARS, REQUEST FOR EVIDENCE, DONNELLY HAS FILE-MW

..MXV 03/01/96 14:38

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/03/07 TIME: 15:38:51**

**DESCRIPTION: MOTION JE FILE DATE: 0000/00/00**

DEFENDANT'S MOTION FOR BILL OF PARTICULARS IS GRANTED.

..EDB 03/20/96 15:38

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/03/20 TIME: 15:54:28**

**DESCRIPTION: TRANSFERRED JE FILE DATE: 0000/00/00**

BY AGREEMENT OF COUNSEL FOR PARTIES, CASE TRANSFERRED TO JUDGE

JAMES J. SWEENEY FOR RE-ASSIGNMENT TO VISITING OUT OF COUNTY JUDGE.

..EDB 03/21/96 15:54

**JUDGE: JAMES J SWEENEY**

**DATE: 1996/04/26 TIME: 09:18:53**

**DESCRIPTION: JE FILE DATE: 0000/00/00**

CR 316724, CR 332934, CR 333972. ATTORNEY JAY MILANO. PROSECUTOR FRANK JASPER. THE SUPREME COURT HAS ASSIGNED JUDGE JOSEPH CIRIGLIANO TO HANDLE THE ABOVE CASES.

HEARD BY JUDGE J.J. SWEENEY

..CLF 05/14/96 09:18

**JUDGE: JOSEPH E CIRIGLIANO**

**DATE: 1996/05/08 TIME: 09:14:44**

**DESCRIPTION: JE FILE DATE: 0000/00/00**

ATTORNEY JAY MILANO. PROSECUTOR FRANK GASPER. PRE-TRIAL HELD AND RESET FOR MAY 14, 1996 AT 1:30 P.M.

HEARD BY JUDGE CIRIGLIANO

CORRECTED ENTRY NOTES 8/15/96 CLF: JUDGE # CHANGE \*\*\*\*\*

..CLF 08/15/96 15:23

**JUDGE: JOSEPH E CIRIGLIANO**

**DATE: 1996/05/14 TIME: 13:51:22**

**DESCRIPTION: SCHEDULE JE FILE DATE: 0000/00/00**

PRETRIAL HELD.

TRIAL SET FOR AUGUST 13, 1996 AT 9:00 A.M.

HEARD BY JUDGE CIRIGLIANO.

CORRECTED ENTRY NOTES 5/17/96 JEB: JUDGE # CHANGE \*\*\*\*\*

..CLF 08/15/96 15:22

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/06/13 TIME: 11:16:19**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

MOTION TO SUBPOENA FOR PRODUCTION OF DOCUMENTARY EVIDENCE; PATTON NO FILE -MW

..DXP 06/13/96 11:16

**JUDGE: JANET R BURNSIDE**

**DATE: 1996/06/17 TIME: 11:05:11**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

MOTION TO SUBPEONA FOR PRODUCTION OF DOCUMENTARY EVIDENCE; DONNELLY HAS FILE- TK

..DXP 06/18/96 11:05

**JUDGE: JOHN L ANGELOTTA**

**DATE: 1996/06/28 TIME: 10:01:52**

**DESCRIPTION: MOTION DISPOSED JE FILE DATE: 0000/00/00**

MOTION TO TERMINATE RESTRICTIVE VISITATION PROCEDURES, PATTON HAS ALL FILES, DP

..DXP 07/01/96 10:01

**JUDGE: JOSEPH E CIRIGLIANO**

**DATE: 1996/07/19 TIME: 11:19:01**

**DESCRIPTION: SCHEDULE JE FILE DATE: 0000/00/00**



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THE COURT OF COMMON PLEAS

COUNTY OF CUYAHOGA

JUSTICE CENTER

1200 ONTARIO STREET

CLEVELAND, OHIO 44113

NANCY R. McDONNELL

Presiding Judge

443-8756

ADMINISTRATIVE JUDGE

GENERAL DIVISION

March 8, 2006

Mr. Brian Farrington  
Judicial Court Services  
Supreme Court of Ohio  
65 South Front St.  
Columbus, OH 43215-3431

In re: Cuyahoga County Case Nos. CR-316724, CR-333972, CR-350831

Dear Mr. Farrington:

Enclosed please find a copy of a letter I received from Jeffrey C. Keith, the defendant in the above-referenced criminal cases which originated in Cuyahoga County.

If the Supreme Court should decide to assign a visiting judge to this case, please inform me of such decision. If you need any assistance from me, I would be glad to oblige.

Thank you for your attention to this matter.

Very truly yours,

Nancy R. McDonnell  
Presiding/Administrative Judge

NRM:tmk

cc: Jeffrey C. Keith

Enclosure