

EMERGENCY-[NOTIFICATION OF CURRENT CIVIL RIGHTS VIOLATION]

February 22nd, 2009

ATT: Judge

ATTN: TO ALL CONCERNED

Case No 08-2496

This letter/motion/pleading is being sent to the following people and/or identities:

- The Attorney General of the State of Ohio
- The U.S. Attorney General
- The U.S. Department of Justice
- The Supreme Court of the State of Ohio
- The appeals court, Fourth District, State of Ohio
- The common pleas court of Meigs County, Ohio
- The common pleas court of Noble County, Ohio
- Public Defender Chris Tenolgia
- Prosecutor Pat Story
- Prosecutor Mrs. Williams
- Assistant Prosecutor Matt Donahue
- The B.O.C.O. Prison Board
- The Noble Correctional Inst. Warden Vochries
- Judge Fredrick Crow III, Meigs County, Ohio
- Judge William Harsha

Emergency
 The defendant
 has discharge
 as of Feb 14, 2009
 Demand for Immediate
 Release, or a
 writ of Mandamus
 to compel the Meigs
 Co. Court to correct error.

FILED
 MAR 04 2009
 CLERK OF COURT
 SUPREME COURT OF OHIO

Emergency attention to all. You must not stand by and do nothing when you know a civil rights violation is occurring. This is an important notice of civil rights violation.

Please find attached (2) two time-stamped motions filed by Prosecuting Attorney Pat Story and Asst. Prosecuting Attorney Matthew Donahue for Meigs County, Ohio, in the Common Pleas Court.

Both of the motions filed by these two representatives of the State of Ohio clearly state in writing and filed/stamped in the Common Pleas Court:

- 1.) Pat Story states, "The defendant appeared with his attorney," and, "the Court sentenced him to 18 ~~months~~ months, and suspended a second 18 months."
- 2.) Matt Donahue (Asst. Prosecutor) states, "He was to be released according to his plea agreement."

RECEIVED
 MAR 04 2009
 CLERK OF COURT
 SUPREME COURT OF OHIO

EMERGENCY NOTICE

Demand for immediate release. The defendant has discharged his first 18 months prison sentence and is now being denied access to the courts and as of Febuary 14th, 2009 is being illegally held in prison on a sentence that is suspended, is illegally held in violation of his civil rights and is being denied his constitutional right to have counsel for his defense, and has been unable to get any court to correct the clerical error.

Discharged as of Febuary 14th, 2009, demand for immediate release. Case number 07-CR-076; State v. Hobbs, Miags County, Ohio.

The defendant has been filing motions and letters for over a year to get this simple yet harmful clerical error corrected, but no court will listen or help. Now the defendant has discharged his sentence and is being illegally held on a suspended sentence.

EMERGENCY CIVIL RIGHTS VIOLATION

Sworn to and subscribed This 24 day of Feb, 2009
Further Affiant say eth Naught

Affiant
Kent Hobbs

Respectfully Submitted

Kent Hobbs

Kenneth R. Hobbs II #567-153
Noble Correctional Inst.
15708 McConnelville Road
Caldwell, Ohio 43724



SANDRA J. BALL
Notary Public, State of Ohio
My Commission Expires 07-21-2011

Sandra J. Ball

[Contact Vickie Hobbs for info, phone#740-374-6783]

CERTIFICATE OF SERVICE

This emergency civil rights notification has been sent to all identities on page one (1) by U.S. mail (regular) and to the Miags County Prosecutor at 117 W.2nd Pomeroy, OH 45769 on this 24 day of Feb 2009.

Kent Hobbs
Kenneth R. Hobbs II #567-153

TO: Noble Correctional Institution
ATTN: Records Department

2-20-2009

Bureau of Sentence Computation
ATTN: Supervisor
P.O. Box 450
Orient, Ohio 43146

I am putting both of these parties on notice that I am being held over my release date. I was supposed to have been released on 2-14-2009. I have several sentencing statements and documents as well as my transcripts to prove there was an error in my sentencing. See attached documents.

I was sentenced out of Meigs County to two (2) eighteen month sentences which gave me a total of three (3) years, but with the last eighteen (18) Months was suspended. When I first arrived at C.R.C. I personally told staff members that my sentence was wrong. It should of read eighteen (18) months and **18months SUSPENDED** on, instead of the three (3) years.

You will probably tell me that the court has to correct the sentence, but I have been filing motions for a year to get this error corrected to but have been unable to get the Meigs county common pleas court to even answer a motion, much less correct the error.

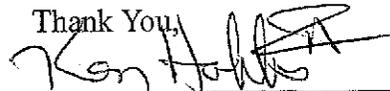
I just want to bring you all up to light on a few things. **Right now I am being held falsely and I do believe that there is negligence involved. I do believe that the State of Ohio is responsible for this as well as the court. The documents that I have enclosed will show that the correct sentence is 18 months, 18 months suspended.**

I have been trying to get this resolved for a very long time and I have been unsuccessful and look this is my last attempt before I file a lawsuit, against any individuals or entities that has knowledge that there is a mistake, and that no one has attempted to correct the mistake.

I want you all to look up Brown V. Coughlin, 704 F. Supp. 41, 44 (S.D.N.Y. 1989); see Alexander V. Perrill, 916 F2d 1392, 1395 (9th Cir. 1990) is says (" you [prison officials] Can't just sit on your duff and not do anything.").

"State official with actual notice that prisoner's recomputed release date is wrong violates due process, if official's unreasonable failure to obtain necessary paperwork to discern correct release date causes prisoner to be imprisoned beyond end of prison term. U.S.C.A. Const. Amends. 5, 14."

Thank You,



Kenneth Hobbs # 567-153

IN THE COURT OF COMMON PLEAS
MEIGS COUNTY, OHIO

2008 OCT 16 AM 11:43

FILED

M. Starnian
CLERK OF COURTS
MEIGS COUNTY, OHIO

STATE OF OHIO,
Plaintiff-Respondent

CASE NO. 06-CR-091
07-CR--076

v.

MOTION FOR SUMMARY
JUDGMENT

KENNETH R. HOBBS, II
Defendant-Petitioner

*Motion By Pat Story
Sentence is suspended!*

Now comes the State of Ohio, through the undersigned Prosecuting Attorney, pursuant to Civil Rule 56 and R. C. 2953.21(D), and moves the Court for an order granting summary judgment dismissing Defendant's petition for post-conviction relief. No genuine issue of material fact remains in dispute and the Respondent, State of Ohio, is entitled to judgment as a matter of law.

Pat Story

PAT STORY (0055732)
Prosecuting Attorney
117 West Second St.
Pomeroy, Ohio 45769
Phone (740) 992-6371
Fax (740) 992-6567

*DRC Has The
wrong Info!!!*

MEMORANDUM

STATEMENT OF FACTS

On December 10, 2007, Defendant, accompanied by counsel entered guilty pleas and was convicted of aggravated assault and theft by deception. The Court sentenced him to eighteen months in prison and suspended a second eighteen-month term of imprisonment. Although Defendant was advised of his right to appeal and of his right to the assistance of counsel, he chose not to file an appeal

LOOK!!! (4) LOOK!!!
Hobbs Motion for Summary Judgment

FILED
MARLENE HARRISON
CLERK OF COURTS
MEIGS COUNTY OHIO

IN THE COURT OF COMMON PLEAS
MEIGS COUNTY, OHIO

DEC 14 2008

COMMON PLEAS COURT

STATE OF OHIO, :

Plaintiff, :

CASE NO. 06 CR 091

07CR076

-vs.- :

JUDGE CROW

KENNETH HOBBS, :

Defendant. :

Motion

look
↓

Kenneth R. Hobbs II has filed a motion for judicial release, motion for additional time for answer and objection to jurisdiction, motion for summary judgment, motion to correct the record and other unstyled pleadings. Hobbs was convicted in this Court in December of 2007, his appeals have been denied by the 4th district court of appeals on June 4, 2008 and by the Ohio Supreme Court on October 15, 2008.

Plea Bargain agreement

Hobbs motion for judicial release is opposed by the State as it prior to the time he was to be released under his plea bargain agreement All of Hobbs other motions are opposed as being jurisdictional improper or moot.

Since his incarceration Hobbs has filed a number of repetitive, bizarre, nonsensical and jurisdictional inappropriate motions, pleadings etc., in both this Court and the Court of Appeals. Hobbs has become such a disruption that the Court of Appeals placed an order on November 18, 2008 directing the clerk to refuse any additional filings by Hobbs.

This Court has the power and the duty to do all things necessary to ensure the administration of justice and specifically to prevent most of these types of filings. State ex rel. Pfeiffer v. Lorain Cty. Court of Common Pleas (1968), 13 Ohio St.2d 133; See also Zangerle v. Cuyahoga Cty. Court of Common Pleas (1943), 141 Ohio St. 70; Smith v. Ohio Dept of Human Services (1996), 115 Ohio App 3d 755.

It is requested that this ~~The Court~~ find that the litigation in this case has been concluded for some time, and ~~overrule and denies~~ any pending motions.

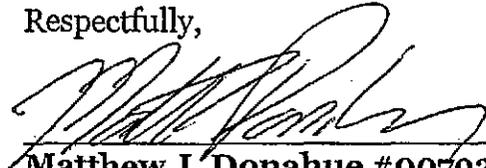
*"He was to be released under his Plea Agreement" per Asst. Prosecutor
Please correct the error!*

"Prison review is suspended for the plea. Sentence is suspended for the plea."

*There is an error - wrong info
DRC has the wrong info*

Further that the Court find that the Defendant has filed a number of repetitive, bizarre, nonsensical and jurisdictional inappropriate motions, pleadings etc. And that the Court find that any other filings by the Defendant in this case, other than those motions allowed by law, will be frivolous and will result in a waste of time and resources on the part of both the State, the Defendant and this Court.

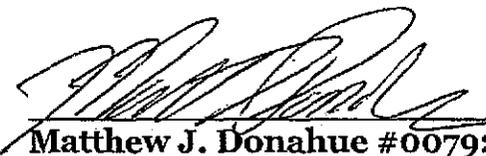
Respectfully,



Matthew J. Donahue #0079278
Assistant Prosecuting Attorney
117 West Second Street
Pomeroy, OH 45769
Telephone 740-992-6371
FAX 740-992-6567

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the Defendant, pro se by placing a copy of the same in the ordinary U.S. Mail addressed to Kenneth R. Hobbs #A567153, Noble Correctional 15708 McConnelsville Rd. PO Box 1812 Caldwell OH 43724 this 17th day of December 2008.



Matthew J. Donahue #0079278
Assistant Prosecuting Attorney
117 West Second Street
Pomeroy, OH 45769
Telephone 740-992-6371
FAX 740-992-6567

Motion - By - Matt Donahue
Clearly ~~States~~ Sentence is ~~Suspended~~
Motion says
"He was to be Released
under his Plea Agreement!" 402

=====
YOUR SENTENCE
=====

INMATE NAME: HOBBS II, KENNETH R
DATE OF BIRTH: 10/05/1961
NEW NUMBER: A567153
OLD NUMBER:
AGGREGATE SENTENCE: 3.00 TERM

THE FOLLOWING CRIMES AND SENTENCE INFORMATION IS COMPUTER GENERATED AT TIME OF ADMISSION AND MAY NEED TO BE VERIFIED WITH THE RECORD OFFICE.

O. R. C. 2 9 2 9 . 4 1
=====

The following is the order in which sentences are to be served. If one of the following paragraphs does NOT apply, it will be left blank.

- 1. Actual Incarceration (Gun) - AI(G) - Time is served first. Time begins on the day you arrive at THIS INSTITUTION. You have years gun specification. Your actual incarceration for the weapon is up
2. You have years of actual incarceration/mandatory time.
3. Definite or stated term sentences are served next. You have a definite/stated term sentence total of 3.00 years. The end of your definite/stated term sentence is 08/24/2010.
4. Indefinite sentences are served last. You have an indefinite sentence total of years. Your first hearing date is approximately

The following is the most current address of the MEIGS

County Court(s) available. Also included is the County Prosecutor's address. Please DOUBLE CHECK these addresses before filing, as these addresses are subject to change.

MEIGS Co. Court[s] P.O. BOX 151 POMEROY, Ohio 45769-0000
MEIGS - Prosecutor P.O. BOX 151 POMEROY, Ohio 45769-0000

A3

THE FOLLOWING CRIMES INFORMATION IS COMPUTER GENERATED AT THE TIME OF ADMISSION AND MAY NEED TO BE VERIFIED WITH THE RECORD OFFICE.

Please examine this IMMEDIATELY, paying particular attention to the following:

1. ALL INMATES- Look under the heading of "JTC" (jail time credit) and check for accuracy. Consult legal packet for further information on "JAIL CREDIT".
2. CRIMES PRIOR TO JULY 1, 1996- Heading "FEL" indicates degree of felony. Aggravated felonies have an "A" before the degree number. Consult legal packet as to importance of an aggravated felony in terms of "SHOCK/SUPER-SHOCK" eligibility.

CRIMES AFTER JULY 1, 1996- Heading "FEL" indicates degree of felony, which determines time frame for "JUDICIAL RELEASE" eligibility. See Legal Packet under "JUDICIAL RELEASE" for further explanation.

3. CRIMES PRIOR TO JULY 1, 1996- Headings "GN" and "AIT" indicates you are serving a "gun spec" (GN) or a period of "actual incarceration time" (AIT). See packet under "SHOCK/SUPER-SHOCK" for importance of these terms.

CRIMES AFTER JULY 1, 1996- Heading "AIT/MAND" refers to any MANDATORY INCARCERATION that you must serve. See Legal packet under "JUDICIAL RELEASE" for further information of effect of mandatory sentences.

4. ALL INMATES- Consult Legal Packet under "APPEAL" or "APPEAL OF RIGHT" for information on filing an appeal.
5. Heading "CS" designates whether your sentences are consecutive "S" or concurrent "C" to each other.

PLED GUILTY

SHOCK PAROLE ELIGIBLE: NO

 OFFENSE INFORMATION

SB2	OFFENSE	CNTS	C	DOCKET#	FEL	COUNTY	JTC	GN	DEF/ TERM	MIN/ FULL	MAX	AIT/ MAND	LIFE/ DEATH	C
	THEFT	1	C	07CR076	4	MEIGS			1.5					S
	AGG ASSAUL	1	C	06CR091	4	MEIGS	108		1.5					C

(AY)