

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE EX REL. DANIEL J. SULLIVAN

Appellee

v.

JUDGE DONALD L. RAMSEY

Appellant

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Case No. 09-1118

ON APPEAL FROM THE
LUCAS COUNTY COURT OF
APPEALS, SIXTH APPELLATE
DISTRICT

APPEAL OF RIGHT

Court of Appeals
Case No. L-09-1168

NOTICE OF APPEAL

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COUNSEL FOR APPELLEE

COUNSEL FOR APPELLANT

RECEIVED
JUN 18 2009
CLERK OF COURT
SUPREME COURT OF OHIO

FILED
JUN 18 2009
CLERK OF COURT
SUPREME COURT OF OHIO

Notice of Appeal of Appellant Judge Donald L. Ramsey

Appellant Judge Donald L. Ramsey hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Lucas County Court of Appeals, Sixth Appellate District, entered in Court of Appeals case No. L-09-1118 on May 7, 2009.

This case originated in the Court of Appeals and is therefore, an appeal of right pursuant to *S.Ct.Prac.R.* II, Sect. 1(A)(1).

Respectfully submitted,

JULIA R. BATES
LUCAS COUNTY PROSECUTING ATTORNEY

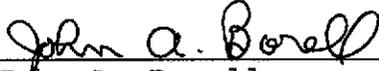
By: John A. Borell
John A. Borell
Assistant Prosecuting Attorney
Counsel for Appellant

CERTIFICATION OF SERVICE

This is to certify that a copy of the foregoing Notice of Appeal was sent by ordinary U.S. mail this 17th day of June, 2009 to:

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FILED
COURT OF APPEALS
2009 MAY -7 P 1:09

COURT OF APPEALS COURT
OF OHIO
SIXTH APPELLATE DISTRICT
LUCAS COUNTY

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
LUCAS COUNTY

State ex rel. Daniel J. Sullivan

Court of Appeals No. L-09-1118

Relator

v.

Judge Donald L. Ramsey

DECISION AND JUDGMENT

Respondent

Decided:

* * * * *

MAY 07 2009

This matter is before the court as an original action in prohibition. Relator, Daniel J. Sullivan, seeks an order from this court prohibiting respondent, Judge Donald L. Ramsey of the Lucas County Court of Common Pleas, Domestic Relations Division, from continuing to exercise jurisdiction in the underlying case of *Janet M. Sullivan v. Daniel J. Sullivan*, Lucas County Domestic Relations Court (case No. DR-1996-0989). Relator also seeks an order from this court vacating the "Amended Qualified Domestic Relations Order" journalized in the underlying case on April 7, 2009 by respondent.

Relator filed a timely notice of appeal in this court on January 20, 2009 from the January 9, 2009 judgment entry and the Qualified Domestic Relations Order in the underlying case. Once relator's notice of appeal was filed (case No. L-09-1022), the trial

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court was divested of jurisdiction in its case no. DR-1996-0989. *State ex rel. Special Prosecutors v. Judges, Court of Common Pleas* (1978), 55 Ohio St.2d 94, 97.

On consideration whereof, this court issues a peremptory writ of prohibition and orders that respondent refrain from taking any action inconsistent with this court's ability to affirm, modify or reverse respondent's January 9, 2009 judgment entry in case no. DR-1996-0989. Further, the trial court's April 7, 2009 "Amended Qualified Domestic Relations Order" in case no. DR-1996-0989 is vacated.

A copy of this peremptory writ shall be served upon respondent personally, by the Lucas County clerk or deputy clerk, who is hereby specially authorized to serve this writ. The clerk or deputy clerk shall verify, by affidavit, the time, place and manner of service and file such verification upon completion of the service.

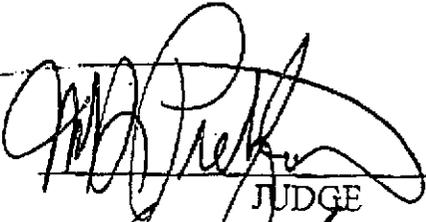
The clerk is further directed to immediately serve upon all other parties a copy of this peremptory writ in a manner prescribed by Civ.R. 5(B).

It is so ordered.

Mark L. Pietrykowski, J.

Arlene Singer, J.

Thomas J. Osowik, J.
CONCUR.



JUDGE



JUDGE



JUDGE

FAXED