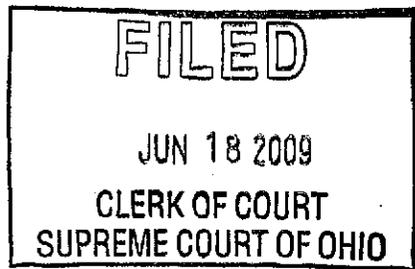


IN THE SUPREME COURT OF OHIO

STATE OF OHIO, ex rel., :
 GREGORY T. HOWARD :
 :
 Appellant, :
 :
 -vs- :
 SEAWAY FOOD TOWN, INC., et al., :
 :
 Appellees.

Case No. 03-1572
 Trial Court Case No. 97AP-860



 APPLICATION FOR LEAVE TO FILE A MOTION FOR COURT HEARING PURSUANT
 TO OHIO REVISED CODE SECTION 3123.05, *INSTANTER*

On September 24, 2004, this Court found Appellant, Gregory T. Howard to be a vexatious litigator under S. Ct. Prac. R. XIV (5)(B). This Court further ordered that Appellant was prohibited from continuing or instituting legal proceedings in the Court without obtaining leave. In compliance with that decision and as a matter of right, contemporaneously herewith the Appellant files this motion for leave to file a Motion for Court Hearing pursuant to O.R.C. §3123.05.

Appellant further asserts that in a journal entry dated January 11, 2006, he was declared to be a vexatious litigator by the Franklin County Court of Common Pleas. That Court further ordered that Appellant was prohibited from continuing or instituting legal proceedings in the Ohio Court of Claims, or in any court of common pleas, municipal court, or other county court of Ohio prior to the date of the Entry of its Order without obtaining leave. Appellant further asserts that on May 16, 2008 the Franklin County Court of Common Pleas filed a motion release to clear the docket in entitled *Gregory T. Howard v. Ohio State Supreme Court* and assigned Franklin County Case No. 05-CVH01-398 and that it has not adjudicated any of the Appellant's pending motions for leave. By doing so contrary to the provisions of R.C. §2323.52 has gave up or

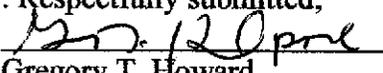
barred any claims or rights to a cause of action that the Appellant may have or might have had or otherwise foreclosed upon his rights to demonstrate that his applications are not an abuse of process of the court in question, and that Appellant has reasonable grounds for the proceedings or applications. Consequently, the Appellant asserts that the Franklin County Court of Common Pleas has violated his Constitutional rights under the Fourteenth Amendment of the United States Constitution and Article I, Section 16 of the Ohio Constitution by depriving him of his rights to due process of the law and equal protection under the laws of the United States. Accordingly, this Court must declare any and all of the Franklin County Court of Common Pleas orders void *ab initio* or otherwise unconstitutional.

Pursuant to R.C. 2323.52(F), only this Court [Franklin County Court of Common Pleas] may grant Howard leave for institution or continuance of, or making an application in, legal proceedings in the Ohio Court of Claims, or in any common pleas, municipal court, or any county court in Ohio.

It is evident from the Franklin County Court of Common Pleas docket entitled *Gregory T. Howard v. Ohio State Supreme Court* and assigned Franklin County Case No. 05-CVH01-398 that it has foreclosed Howard's rights for leave for institution or continuance of, or making an application in, legal proceedings in the Ohio Court of Claims, or in any common pleas, municipal court, or any county court in Ohio in violation of the Fourteenth Amendment of the United States Constitution and Article I, Section 16 of the Ohio Constitution. Appellant submits that there are reasonable grounds for this application and that this application is not an abuse of process. Based on this evidence, the record is now clear that the Franklin County Court of Common Pleas violated the Appellant's Fourteenth Amendment of the United States Constitution and Article I, Section 16 of the Ohio Constitution rights and that it is not in

compliance with the statutory requirements of R.C. §2323.52. For this reason, the Appellant requests that this Court declare any and all of the Franklin County Court of Common Pleas orders void *ab initio* or otherwise unconstitutional. Accordingly, by the filing of this motion for leave the Appellant asserts that he has proven compliance with rule requirements of S. Ct. Prac. R. XIV (5)(B). Hence, since this matter is not an abuse of process and there are reasonable grounds for this proceeding this Court should find that the motion for leave to file a Motion for Court Hearing pursuant to O.R.C. §3123.05 is well-taken and ordered granted.

For all of the above stated reasons, Appellant requests that this Court grant him leave to file a Motion for Court Hearing pursuant to O.R.C. §3123.05 and to declare any and all of the Franklin County Court of Common Pleas orders in connection with case entitled *Gregory T. Howard v. Ohio State Supreme Court* and assigned Franklin County Case No. 05-CVH01-398 are void *ab initio* or otherwise unconstitutional.

Respectfully submitted,

Gregory T. Howard
P.O. Box 3096
Toledo, Ohio 43607-0096
Telephone: (419) 450-3408

Relator-Appellant, Pro-se

PROOF OF SERVICE

This is to certify that a copy of the foregoing of Gregory T. Howard was sent via ordinary U.S. Mail or via facsimile this 17th day of June, 2009 to:

(419) 247-1777
Eastman & Smith, Ltd.
C/O Thomas A. Dixon, Esq.
One Seagate, 24th Floor
Toledo, Ohio 43699-0032

(614) 752-2538
Ohio Attorney General Office
William R. Creedon, Esq.
150 East Gay Street, 22nd Floor
Columbus, Ohio 43215

¹(614) 466-9354
Governor Ted Strickland
77 High Street, 30th Floor
Columbus, Ohio 43215-6117

(614) 728-7592
Assistant Attorney General
Kent M. Shimeall, Esq.
State Office Tower
30 East Broad Street, 16th Floor
Columbus, Ohio 43266-0410

The Federal Trade Commission:
Privacy-Steering-Committee
Federal-Trade-Commission
600-Pennsylvania-Avenue,N.W.
Washington,DC-20580

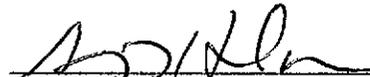
Office of the Ohio Senate
Fax: (614) 644-5208

James G. Carr, Chief Judge-Faxed to 419.213.5563

Attn: Deputy Director, Office of the Executive Director
Re: Eastman & Smith, et al.
State of Ohio Office of the Attorney General Complaint #: 327061 & 330421
Federal Trade Commission Complaint # 10010756,10299071 & 10651814
Comptroller of the Currency #685430-(713) 336-4301

Faxed to telephone: (614) 469-5240
Assistant United States Attorney
Mark T. D'Alessandro for Southern District of Ohio,
303 Marconi Boulevard, Suite 200,
Columbus, Ohio 43215-2401

(614) 462-6012
Patrick J. Piccininni
Assistant Prosecuting Attorney
373 South High Street, 13th Floor
Columbus, Ohio 43215


Gregory T. Howard
Appellant-Claimant, pro-se

¹ Appellant asserts that he has a right to recover damages from any person who fails to prevent or aid in preventing any wrongs as the terms are used in 42 U.S.C. §1985 which he had knowledge were about to occur and power to prevent. 28 U.S.C. §1343(a)(2).

IN THE SUPREME COURT OF OHIO

Gregory T. Howard
P.O. Box 3096
Toledo, Ohio 43607
SSN:XXX-XX-5281 DOB: 07/21/1954

Case No.
SETS Case No.: 7014095512
Order No.: DR94-0181

Obligor-Appellant,

-vs-

Shirley Howard
7049 Precious Stone Drive
Holland, Ohio 43528
SSN:XXX-XX-6133 DOB: 10/16/1952

Obligee-Appellee,

and

Lucas County Child Support Enforcement Agency
Linda Knepp, Hearing Officer
701 Adams Street
Toledo, Ohio 43624-2400

CSEA-Appellee.

**MOTION FOR COURT HEARING PURSUANT TO OHIO REVISED CODE SECTION
3123.05**

Now comes Appellant Gregory T. Howard pursuant to the provisions of Ohio Revised Code Section 3123.05, asserts, alleges, and states to this Honorable Court as follows:

1. On June 12, 2009, Appellant received a copy of the Appellee's CSEA determination regarding the Notice of Default made via U.S. Regular mail service, pursuant to the provisions of R.C. §3123.04 (Copy attached).

2. That this motion has been timely submitted within seven business days of the CSEA's said determination in compliance with R.C. §3123.05.

3. Appellant submits that he has no plain and adequate remedy in the ordinary course of the law. This exchange is similar to R.C. §2731.05.

4. Appellant submits that there still exists a mistake of fact in the default notice as evidenced in his letter to CSEA dated June 16, 2009 (copy attached).

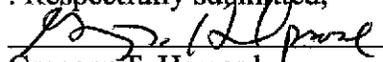
5. Appellant submits that he is indigent and is unable to pay for the costs of this action.

6. That under R.C. §3123.05 this Court is responsible for holding a hearing as soon as possible but not later than ten days after this motion is filed and this Court is responsible for taking further action as provided in section 3123.06 of the Ohio Revised Code.

7. Appellant submits that the CSEA final determination is unenforceable because there are no arrears in the above entitled case.

For all of the above stated reasons, Appellant requests as of right a Court hearing to determine whether a mistake of fact still exists in the default notice pursuant to R.C. §3123.05, *et seq.*, and for all other proper relief in the premises.

. Respectfully submitted,

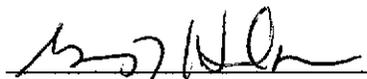

Gregory T. Howard
P.O. Box 3096
Toledo, Ohio 43607-0096
Telephone: (419) 450-3408

Obligor-Appellant, Pro-se

PROOF OF SERVICE

This is to certify that a copy of the foregoing of Gregory T. Howard was sent via ordinary U.S. Mail or via facsimile this 17th day of June, 2009 to:

(419) 259-3033
Lucas County Child Support Enforcement Agency
Linda Knepp, Hearing Officer and or
Walter Graph, Assistant Director of CSEA
701 Adams Street
Toledo, Ohio 43624-2400


Gregory T. Howard
Obligor-Claimant, pro-se

LUCAS COUNTY CHILD SUPPORT ENFORCEMENT AGENCY
Domestic Relations Division

Shirley Howard
7049 Precious Stone Drive
Holland, Ohio 43528
SSN: XXX-XX-6133 DOB: 10/16/1952
Obligee,

-vs-

Gregory Howard
P.O. Box 3096
Toledo, Ohio 43615
SSN: XXX-XX-5281 DOB: 07/21/1954
Obligor.

SETS Case No: 7014095512

Order No: DR94-0181

Hearing Officer: *Linda Knepp*

**AGENCY REPORT OF MISTAKE OF FACT
HEARING REGARDING THE NOTICE OF
DEFAULT**

This matter came on for Administrative Hearing on May 28, 2009, upon request of the Obligor filed with this Agency on May 20, 2009.

Notice of Hearing was mailed to the Obligee and the Obligor on May 21, 2009. Appearances were made by the Obligor.

Upon the testimony and evidence adduced, this Agency finds as follows:

FINDINGS

The Obligor requested an Administrative Mistake of Fact Hearing because the Obligor disagrees with the arrearage.

Obligor does not dispute that the case is in default as that term is defined in R.C. Section 3121.01(B). Rather, Obligor contends the total arrearage amount is incorrect. Obligor contends the arrearage amount is \$0.00 as of May 1, 2009. According to the payment history of the case, Obligor's arrearage amount totals \$1,990.78 as of May 28, 2009, per audit.

The arrearage on the case arose as a result of the following: the final Judgment Entry of Divorce. The Obligor is correct in his assumption that he has paid all the current support order since the divorce. He in fact has paid slightly more than all current charges incurred after the divorce decree.

The remaining arrearage exists because of the lump sum judgment ordered in the divorce decree. Said Judgment of \$3,368.18 stems from the temporary order issued during the pendency of the divorce action. If not for said judgment, the case would have been paid in full and closed by now.

Therefore, collection will continue until the arrearage is paid in full, stipulated as paid in full by the parties on discharged by the Court.

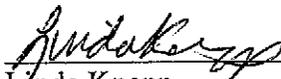
The Agency's records are updated based on the audit attached as Exhibit A. Based on the audit, an arrearage still exists.

RESULTS

The Agency recommends the following:

Current collection of the arrearage shall continue.

A copy of the foregoing AGENCY REPORT was mailed to the Obligees and the Obligor on this 9th day of June, 2009.



Linda Knepp
Hearing Officer

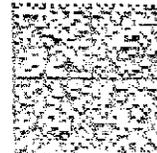
**LUCAS COUNTY
CHILD SUPPORT ENFORCEMENT
AGENCY**

701 ADAMS STREET
TOLEDO, OHIO 43604-3400



August
is
Child Support
Awareness Month

RESORTED
FIRST CLASS



UNITED STATES POSTAGE
PRIME RATE
\$ 00.41
JUN 10 2008
MAILED FROM ZIP CODE 43604

GREGORY HOWARD
PO BOX 3096
TOLEDO, OH 43615

30 IRVYR11 43607



June 16, 2009

VIA FAX TO: 419.259.3033

Lucas County Child Support Enforcement Agency
Linda Knepp, Hearing Officer
701 Adams Street
Toledo, Ohio 43624-2400

Re: Obligor's Motion for Reconsideration of the Agency's Report and Recommendation Regarding Mistake of Fact Hearing as to the Notice of Default

Case No: 7014095512

Order No: DR94-0181

Obligor Name: Gregory T. Howard

Obligee Name: Shirley A. Howard

Current Total Support Obligation as of May 28, 2009, \$1,990.78, per audit Date of Report and Recommendation Requesting Reconsideration of 06.09.2009

Date Order filed: 03.24.1995

Amount of Charges:

Child Support \$101.34 PM PC X 2, effective 02.23.1995 through 06.08.1995

Spousal Support terminated on 03.24.1995 through 06.08.1995

Dear Hearing Officer Knepp:

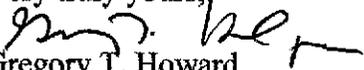
Please be advised that the child support for Greg and Corey is reduced from \$340.60 per month per child plus poundage to \$101.34 per month per child plus poundage effective 02.23.1995, Per Judgment Entry filed 03.24.1995. Please be further advised that the spousal support for obligee was terminated on 03.24.1995 and that pursuant to Obligor's (Exhibit E), which was provided to the Obligor by the CSEA, that there existed an arrearage in the prior child support and spousal support obligation of the obligor in the amount of \$3,368.18 through June 5, 1995, Per Judgment Entry filed 06.23.1995, which was not adjusted. Obligor submits that these amounts should be adjusted accordingly.

The information that the CSEA provided the Obligor (Exhibit E) which was subsequently provided to the Court was inaccurate and was not credible in that the CSEA statement (Exhibit E) failed to consider that child support for Greg and Corey is reduced from \$340.60 per month per child plus poundage to \$101.34 per month per child plus poundage effective 02.23.1995, Per Judgment Entry filed 03.24.1995; that the spousal support for obligee was terminated on 03.24.1995, Per Judgment Entry filed 03.24.1995. Based on this record, the record is now clear that CSEA provided the Obligor and the Court with inaccurate or false misleading information regarding his child support and spousal support obligation and thus, caused the Court to reach an improper amount of \$3,368.18 as and for arrears in child support and spousal support through 06.05.1995, Per Judgment Entry filed 06.23.1995. In Ohio, a material mistake is grounds for rescission of an CSEA statement. See Sattler v. Sattler, 30 Ohio App. 3d 243; 507 N.E. 2d 430

(1986). Accordingly, the Obligor respectfully asks that you rescind the CSEA statement (Exhibit E) and ask that you correct the record to reflect the truth as to the fact that the child support for Greg and Corey is reduced from \$340.60 per month per child plus poundage to \$101.34 per month per child plus poundage effective 02.23.1995, Per Judgment Entry filed 03.24.1995 and that the spousal support for obligee was terminated on 03.24.1995, Per Judgment Entry filed 03.24.1995. Hence, the obligor respectfully asks that he be refunded any and all overpaid amounts as it relates to his child support and spousal support obligation and or adjustment of his total support charges already paid.

Therefore, at this time the undersigned respectfully requests that these documents be properly processed. Thank you for your attention to these matters.

Very truly yours,


Gregory T. Howard
P.O. Box 3096
Toledo, Ohio 43607-0096
Telephone No. 419.450.3408

LUCAS COUNTY CHILD SUPPORT ENFORCEMENT AGENCY
Domestic Relations Division

Shirley Howard
7049 Precious Stone Drive
Holland, Ohio 43528
SSN: XXX-XX-6133 DOB: 10/16/1952
Obligee,

-vs-

Gregory Howard
P.O. Box 3096
Toledo, Ohio 43615
SSN: XXX-XX-5281 DOB: 07/21/1954
Obligor.

SETS Case No: 7014095512

Order No: DR94-0181

Hearing Officer: *Linda Knepp*

**AGENCY REPORT OF MISTAKE OF FACT
HEARING REGARDING THE NOTICE OF
DEFAULT**

This matter came on for Administrative Hearing on May 28, 2009, upon request of the Obligor filed with this Agency on May 20, 2009.

Notice of Hearing was mailed to the Obligee and the Obligor on May 21, 2009. Appearances were made by the Obligor.

Upon the testimony and evidence adduced, this Agency finds as follows:

FINDINGS

The Obligor requested an Administrative Mistake of Fact Hearing because the Obligor disagrees with the arrearage.

Obligor does not dispute that the case is in default as that term is defined in R.C. Section 3121.01(B). Rather, Obligor contends the total arrearage amount is incorrect. Obligor contends the arrearage amount is \$0.00 as of May 1, 2009. According to the payment history of the case, Obligor's arrearage amount totals \$1,990.78 as of May 28, 2009, per audit.

The arrearage on the case arose as a result of the following: the final Judgment Entry of Divorce. The Obligor is correct in his assumption that he has paid all the current support order since the divorce. He in fact has paid slightly more than all current charges incurred after the divorce decree.

The remaining arrearage exists because of the lump sum judgment ordered in the divorce decree. Said Judgment of \$3,368.18 stems from the temporary order issued during the pendency of the divorce action. If not for said judgment, the case would have been paid in full and closed by now.

Therefore, collection will continue until the arrearage is paid in full, stipulated as paid in full by the parties on discharged by the Court.

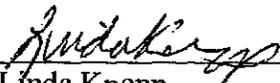
The Agency's records are updated based on the audit attached as Exhibit A. Based on the audit, an arrearage still exists.

RESULTS

The Agency recommends the following:

Current collection of the arrearage shall continue.

A copy of the foregoing AGENCY REPORT was mailed to the Obligees and the Obligor on this 9th day of June, 2009.



Linda Knepp
Hearing Officer

COPY

Exhibit 1

Case No. 7014095512

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature Agent
 Addressee
[Handwritten Signature]

B. Received by (Printed Name) C. Date of Delivery
[Handwritten Name] *6-15-9*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

1. Article Addressed to:

Lucas County Child Support
 Enforcement Agency
 Linda Knepps, Hearing Officer
 701 Adams Street
 Toledo, Ohio 43624-2400

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7008 3230 0003 4604 5438

PS Form 3811, February 2004 Domestic Return Receipt *Motion to Reconsider* 102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
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 USPS
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Gregory T. Howard
 PO. Box 3096
 Toledo, Ohio 43607-0096



7008 3230 0003 4604 5438

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OFFICIAL USPS

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 43607 TOLEDO OH
 MIDTOWN STATION

Sent to: **LCCS EA - Hearing Office**
 701 Adams Street
 Toledo, Ohio 43624-2400

City, State, ZIP+4
 or PO Box No.
 Street, Apt. No.
 See Reverse for Instructions
 PS Form 3800, August 2006

Postage	\$
Certified Fee	\$
Return Receipt Fee (Endorsement Required)	\$
Restricted Delivery Fee (Endorsement Required)	\$
Total Postage & Fees	\$

Product Description	Qty	Sale Unit	Sale Price	Final Price
TOLEDO OH 43604 Zone-1				\$1.56
First-Class Large Env				
4.60 oz.				
Return Rcpt (Green Card)				\$2.30
Certified				\$2.80
Label #:				
70083230000346045438				
Issue PVI:				\$6.66

Total: \$6.66
 Paid by: Cash \$7.00
 Change Due: -\$0.34

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 YOUR OPINION COUNTS

Customer Copy

[Track & Confirm](#)

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Track & Confirm

Search Results

Label/Receipt Number: 7008 3230 0003 4604 5438

Class: First-Class Mail®

Service(s): Certified Mail™
Return Receipt

Status: Delivered

Your item was delivered at 9:07 AM on June 15, 2009 in TOLEDO, OH 43604.

Detailed Results:

- Delivered, June 15, 2009, 9:07 am, TOLEDO, OH 43604
- Acceptance, June 12, 2009, 10:52 am, TOLEDO, OH 43607

Notification Options

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Get current event information or updates for your item sent to you or others by email.

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[Business Customer Gateway](#)

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No FEAR Act EEO Data

FOIA



Exhibit 2

LUCAS COUNTY CHILD SUPPORT ENFORCEMENT AGENCY ARREARAGE STATEMENT

This report represents an arrearage statement for the following case based on the orders contained in the Child Support Enforcement Agency case file: This report was requested & printed by the Domestic Relations Court for the court's exclusive use. Its use is not authorized by anyone outside the court's staff.

COURT ORDER INFORMATION:

Case Number:	Report Date 02/02/95
THS	Obligor GREG T HOWARD
Docket DR940181	Obligee SHIRLEY HOWARD
JC	1 OF 2

ARG TYPE	AMOUNT	FREQUENCY	BEGIN DATE	ARREARAGE INFORMATION:	
SUPPORT	340.60	Monthly	03/03/94	NON-ADC ARREARAGE	332.00
ALIMONY	280.00	Monthly	09/19/94	ADC ARREARAGE	2,978.01
MEDICAL				POUNDAGE ARREAR	8.15
				TOTAL ARREARAGE	3,318.16

**** Negative TOTAL ARREARAGE indicates overpayment ****

Is Obligee currently receiving ADC benefits for this case? NO
 Is case status IV-D? YES Wage assignment currently on file? YES

If total arrearage includes ADC, the breakdown between ADC & Non ADC may change pending a required distribution. (CSEM 4300).

PAYMENT HISTORY:

Amount paid Year-to-Date 937.99 Last Date Paid 02/02/95

Payment History (last 3 months):

Date / Amount	Date / Amount	Date / Amount
02/02/95 138.51		
01/19/95 165.14		
01/18/95 317.17		
01/09/95 317.17		
12/16/94 310.94		
12/05/94 310.30		
11/21/94 386.80		
11/07/94 268.99		

COPY

By: _____
Assignment Commissioner, Domestic Relations Court

-- TRANSACTION HISTORY -- STARTING 06/01/1981 - 12/31/1996

RECEIPT DATE	RECEIPT NUMBER	APPL CODE	CHECK NUMBER	CHECK DATE	TOTAL AMOUNT	POUNDRAGE	NET AMOUNT	ESCROW AMOUNT	-- TO ESCROW	DATE	BALANCES ARREAR	-- PD-YTD
05/24/1994	5203803	SW			368.00	7.22	360.78				1682.82	360.78 4
06/03/1994	5220584	SW			497.22	9.75	487.47				1876.55	848.25 4
06/17/1994	5244154	SW			368.00	7.22	360.78				1515.77	1209.03 4
07/01/1994	5267246	AW			368.00	7.22	203.58				1296.42	203.58 4
07/01/1994	5267246	SW					157.20				1358.57	1366.23 4
07/15/1994	5290077	AW			368.00	7.22	86.54				1584.88	290.12 4
07/15/1994	5290077	SW					274.24				1765.53	1640.47 4
07/28/1994	5311135	AW			368.00	7.22	46.38				1538.50	336.50 4
07/28/1994	5311135	SW					314.40				1451.13	1954.87 4
08/12/1994	5334445	SP	6317146	08/12/1994	368.00	7.22	360.78				320.42	2315.65 4
08/26/1994	5356689	AL	6332995	08/26/1994	368.00	7.22	46.38				328.62	382.88 4
08/26/1994	5356689	SP	6332995	08/26/1994			314.40				6.02	2630.05 4
09/09/1994	5376986	AL	6348145	09/09/1994	341.70	6.70	177.80				525.82	560.68 4
09/09/1994	5376986	SP	6348145	09/09/1994			157.20				530.02	2787.25 4
09/26/1994	5401987	SP	6367246	09/26/1994	394.29	7.73	386.56				143.46	3173.81 4
10/07/1994	5422567	AL	6383039	10/07/1994	497.22	9.75	173.07				727.75	733.75 4
10/07/1994	5422567	SP	6383039	10/07/1994			314.40				510.26	3488.21 4
10/24/1994	5446013	AL	6400194	10/24/1994	497.22	9.75	173.07				554.68	906.82 4
10/24/1994	5446013	SP	6400194	10/24/1994			314.40				195.86	3802.61 4
11/07/1994	5469673	AX			426.19		111.79				2356.39	1018.61 W
11/07/1994	5469673	SX					157.20				1830.39	3959.81 W
11/21/1994	5490786	AW			568.24	11.14	187.50				2168.89	1206.11 4
11/21/1994	5490786	SW					199.30				1631.09	4159.11 4
12/05/1994	5510627	AL	6450570	12/05/1994	497.22	9.75	140.00				140.00	1346.11 4
12/05/1994	5510627	SP	6450570	12/05/1994			170.30				170.30	4329.41 4
12/14/1994	5530674	RC			291.60			291.60				5
12/14/1994	5530676	ES	6463906	12/14/1994	291.60			291.60-				5
12/16/1994	5532270	AL	6466139	12/16/1994	497.22	9.75	140.00					1486.11 4
12/16/1994	5532270	LA					0.64				0.64-	0.64 4
12/16/1994	5532270	SP	6466139	12/16/1994			170.30					4499.71 4
11/07/1994	5469673	SX	6417356	11/07/1994	426.19		157.20				183.40	157.20 W
11/21/1994	5490786	SP	6434687	11/21/1994	568.24	11.14	170.30				13.10	327.50 4
12/05/1994	5510627	SP	6450597	12/05/1994	497.22	9.75	177.17				176.53	504.67 4
12/16/1994	5532270	SP	6466147	12/16/1994	497.22	9.75	176.53					681.20 4
01/09/1995	5565073	AL	6491656	01/09/1995	497.22	9.75	140.00				140.00	140.00 4
01/09/1995	5565073	LA					6.87				7.51-	6.87 4
01/09/1995	5565073	SP	6491656	01/09/1995			170.30				170.30	170.30 4
01/18/1995	5578786	AL	6500767	01/18/1995	497.22	9.75	146.87				6.87-	286.87 4
01/18/1995	5578786	SP	6500767	01/18/1995			170.30					340.60 4
01/19/1995	5583130	AL	6503408	01/19/1995	248.61	4.87	64.62				71.49-	351.49 4
01/19/1995	5583130	LA					21.92				29.43-	28.79 4
01/19/1995	5583130	SP	6503408	01/19/1995			78.60				78.60-	419.20 4
02/02/1995	5605548	AX	6521569	02/02/1995	213.09		63.93				144.58	415.42 4
02/02/1995	5605548	SX	6521569	02/02/1995			74.58				187.42	493.78 4
04/06/1995	5711773	AX			245.33		142.29				417.71	557.71 4

-- TRANSACTION HISTORY -- STARTING 06/01/1981 - 12/31/1996

RECEIPT DATE	RECEIPT NUMBER	APPL CODE	CHECK NUMBER	CHECK DATE	TOTAL AMOUNT	POUNDRAGE	NET AMOUNT	ESCROW AMOUNT	-- TO ESCROW	DATE	BALANCES ARREAR	-- PD-YTD
04/06/1995	5711773	SX					51.51				49.83	574.08 4
04/25/1995	5741143	IW			898.00		898.00				898.00-	898.00 I
04/27/1995	5746606	AX			50.00		30.00				387.71	587.71 1
04/27/1995	5746606	SX					10.00				39.83	584.08 1
05/01/1995	5750708	OW			261.00		261.00				1159.00-	1159.00 O
06/19/1995	5836531	IW			2091.00		2091.00				3250.00-	3250.00 I
01/09/1995	5565073	SP	6491689	01/09/1995	497.22	9.75	170.30				170.30	170.30 4
01/18/1995	5578786	SP	6500788	01/18/1995	497.22	9.75	170.30					340.60 4
01/19/1995	5583130	SP	6503436	01/19/1995	248.61	4.87	78.60				78.60-	419.20 4
02/02/1995	5605548	SX	6521587	02/02/1995	213.09		74.58				187.42	493.78 4
04/06/1995	5711773	SX	6599432	04/06/1995	245.33		51.53				264.35	545.31 4
04/27/1995	5746606	SX	6625568	04/27/1995	50.00		10.00				254.35	555.31 1
04/08/1996	6336900	OW			23.13		23.13				23.13-	23.13 O
04/29/1996	6375960	IW			322.00		322.00				345.13-	345.13 I

Exhibit 3

BOS160P

CASE HISTORY REPORT

TUE, MAR 8, 2005, 9:20 AM

DR940181 HOWARD GREGORY T

PAGE 1
ADC ARREARAGE: 13878.95
NON-ADC ARREARAGE: 5284.64

TOTAL PAYMENTS:

TOTAL ARREARAGE: 19163.59

PAYEE: HOWARD SHIRLEY A ESCROW AMOUNT:

FREQ	AMOUNT DUE	BEGIN DATE	LAST PAY DATE	PAID YTD	PAID LTD	NON-ADC ARREARAGE	ADC ARREARAGE	INITIAL AMOUNT
AL	3	200.00	06/08/95	07/19/00		7273.82	200.00	
SP	0		06/08/95	04/27/95		9916.07		
LS	3		12/06/99					5084.64
LSA	3		12/06/99	04/29/96				13878.95
MDA	0							

CASE NOTES:

11/1/94 MADE 2ND PAYEE ADDED FOR CHILD GREGORY ON SSI AH***12/14/94 PER DIST \$291.60 SENT TO PAYEE ARREARS ADJ VLO/SJW***12/18/95 CASE FLAGGED; DO NOT POST BONUS CK EXPECTED HAYES/NL***12/6/99 PAYEE SHIRLEY DELETED. 1236.51 (LTD) ADDED TO PAYEE SHIRLEY. PMT HISTORY IN FILE PN

RECEIPT DATE	RECEIPT NUMBER	AP CD	CHECK NUMBER	CHECK DATE	TOTAL AMOUNT	TRANSACTION HISTORY	POUNDRAGE	NET AMOUNT	ESCROW AMOUNT	TO DATE ESCROW	BALANCES - PD-YTD
12/31/94			SW TOTAL AMOUNT PAID	01/01/94	THRU 12/31/94						2154.17
12/31/94			AW TOTAL AMOUNT PAID	01/01/94	THRU 12/31/94						524.00
12/31/94			SP TOTAL AMOUNT PAID	01/01/94	THRU 12/31/94						2637.14
12/31/94			AL TOTAL AMOUNT PAID	01/01/94	THRU 12/31/94						962.11
12/31/94			LA TOTAL AMOUNT PAID	01/01/94	THRU 12/31/94						0.64
12/31/95			AL TOTAL AMOUNT PAID	01/01/95	THRU 12/31/95						587.71
12/31/95			LA TOTAL AMOUNT PAID	01/01/95	THRU 12/31/95						3278.79
12/31/95			SP TOTAL AMOUNT PAID	01/01/95	THRU 12/31/95						555.29
12/31/96			LA TOTAL AMOUNT PAID	01/01/96	THRU 12/31/96						345.13
06/16/98	7904498	AL	8234074	06/16/98	204.00		4.00	200.00			200.00
07/17/98	7972616	AL	8321539	07/17/98	204.00		4.00	200.00			400.00
08/18/98	8031197	AL	8367467	08/18/98	204.00		4.00	200.00			600.00
09/21/98	8101774	AL	8421383	09/21/98	204.00		4.00	200.00			800.00
10/20/98	8161286	AL	8466901	10/20/98	204.00		4.00	200.00			1000.00
11/18/98	8222873	AL	8515974	11/18/98	204.00		4.00	200.00			1200.00
12/16/98	8278337	AL	8561050	12/16/98	204.00		4.00	200.00			1400.00
01/14/99	8337960	AL	8604808	01/14/99	204.00		4.00	200.00			200.00
02/17/99	8404002	AL	8681090	02/17/99	204.00		4.00	200.00			400.00
03/16/99	8458434	AL	8725050	03/16/99	204.00		4.00	200.00			600.00
04/12/99	8518530	AL	8768784	04/12/99	204.00		4.00	200.00			800.00
05/19/99	8596296	AL	8829180	05/19/99	204.00		4.00	200.00			1000.00
06/14/99	8650285	AL	8870284	06/14/99	204.00		4.00	200.00			1200.00
07/19/99	8718799	AL	8923693	07/19/99	204.00		4.00	200.00			1400.00
08/17/99	8781523	AL	8970076	08/17/99	204.00		4.00	200.00			1600.00
09/20/99	8850097	AL	9022398	09/20/99	204.00		4.00	200.00			1800.00
10/19/99	8910952	AL	9068712	10/19/99	204.00		4.00	200.00			2000.00
11/17/99	8968194	AL	9114613	11/17/99	204.00		4.00	200.00			2200.00
12/14/99	9024604	AL	9160136	12/14/99	204.00		4.00	200.00			2400.00
01/11/00	9082105	AL	9201882	01/11/00	204.00		4.00	200.00			200.00
02/18/00	9161910	AL	9263588	02/18/00	204.00		4.00	200.00			400.00
03/17/00	9215366	AL	9305747	03/17/00	204.00		4.00	200.00			600.00
04/25/00	9283955	AL	9359537	04/25/00	204.00		4.00	200.00			800.00
05/16/00	9321427	AL	9388481	05/16/00	204.00		4.00	200.00			1000.00
06/19/00	9383591	AL	9438114	06/19/00	204.00		4.00	200.00			1200.00
07/19/00	9434015	AL	9478829	07/19/00	204.00		4.00	200.00			1400.00

COPY

ARREARAGE STATEMENT PREPARED BY THE OBLIGOR ON 06-16-2009
(EXHIBIT 4)

Case No: 7014095512
Order No: DR94-0181
Obligor Name: Gregory T. Howard
Obligee Name: Shirley A. Howard
Children-Date of Birth

COPY

Cornelius 09-24-1978 Emancipated 07-12-1996
Greg 12-10-1979 Emancipated 09-24-1997

I. COURT ORDER INFORMATION

1. Date Order Filed: 03-23-1994
2. Amount of Charges: Child Support \$340.60 PM PC X 2
3. Effective Date of Charges: 03-23-1994

- II. Date of Order Filed: 11-22-1994
- a. Amount of Charges: Alimony \$280.00
 - b. Effective Date of Charges: 11-22-1994

- III. Date of Order Filed: 03-24-1995
- a. Child Support \$101.34 PM PC X 2
 - b. Alimony: Terminated (Effective 03-24-1995)
 - c. Effective Date of Charges for Child Support: 02-23-1995

IV. Charges

Year	Months	Total	Fees
CHILD SUPPORT			
1994	9 Months @ \$681.20	\$6,130.80	\$149.86
1995	2 Months @ \$681.20	\$1,362.40	
ALIMONY			
1994	1 Month @ \$280.00	\$280.00	
1994	9 Days @ \$9.03	\$81.29	
1995	3 Months @ \$280.00	\$840.00	
1995	1 Day @ \$9.03	\$9.03	\$24.21

Processing fees from 03-23-1994 until 02-23-1995 for child support and from 11-22-1994 until March 24, 1995 for Alimony

=

Total Charges:	\$8,703.52	\$174.07
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V. PAYMENTS

1994 \$6,278.06
1995 \$2,330.79
1996 \$100.00

=

Total Payments:	\$8,708.85
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VI.

a.	Total Charges	\$8,703.52
b.	Administrative Fee Arrearage	\$174.07
c.	Grand Total	\$8877.59
d.	Less Total Paid	\$8,708.85
e.	Total Arrearage thorough & including 06-05-1995	<u>\$168.74</u>

Comments: Audit regarding the year of 1996 failed to include a \$100.00 payment Per Case History Report 03-08-2005 (Copy attached as Exhibit 3); Obligor subtracted \$2,091.00 (Per audit) from \$4,421.79 (Per Case History Report 03-08-2005) payments made for the year ending 1995 (Copy attached as Exhibit 3).

Attachment not scanned

WORKSHEET
 4THE COURT OF COMMON PLEAS OF LUCAS COUNTY, OHIO
 DOMESTIC RELATIONS DIVISION

CHILD SUPPORT COMPUTATION SOLE RESIDENTIAL PARENT OR SHARED PARENTING ORDER

NAME OF PARTIES: Greg T. Howard CASE NO. DR 94-0181
Shirley Howard JUDGE Lewandowski

The following parent was designated as the residential parent & legal custodian: **MOTHER** Number of Minor Children: **2**
 (Disregard if shared parenting order)

Annual Pay Periods: Father: 12 Mother: 52 COLUMN I FATHER COLUMN II MOTHER COLUMN III COMBINED

1a. Annual gross income from employment or, when determined appropriate by the court or agency, average annual gross income from employment over a reasonable period of years (EXCLUDE OVERTIME & BONUSES).....\$ 8,840 \$ 0

b. Amount of overtime and bonuses:	FATHER	MOTHER		
YR. 3 (Three Years Ago)	\$ 0	\$ 0		
YR. 2 (Two Years Ago)	\$ 0	\$ 0		
YR. 1 (Last Calendar Year)	\$ 0	\$ 0		
AVERAGE	\$ 0	\$ 0	\$ 0	\$ 0

(Include in column I and/or column II the average of the three years or the year 1 amount, whichever is less), if there exists a reasonable expectation that the total earnings from overtime and/or bonuses during the current calendar year will meet or exceed the amount that is the lower of the average of the three years or the year 1 amount. If, however, there exists a reasonable expectation that the total earnings from overtime/bonuses during the current calendar year will be less than the lower of the average of the three years or the year 1 amount, include only the amount reasonably expected to be earned this year.)

2. Annual income from interest and dividends (whether or not taxable).....\$ 0 \$ 0

3. Annual income from unemployment compensation.....\$ 0 \$ 0

4. Annual income from workers' compensation or disability insurance benefits.....\$ 0 \$ 0

5. Other annual income (identify) \$ 0 \$ 0

SOLE RESIDENTIAL PARENT OR SHARED PARENTING

CASE NO.	DR 94-0181	NUMBER OF MARRIAGE	CHILDREN OTHER	PAYPERIODS	0 0 0 0 0 0 0
Greg T. Howard		0	0	12	DATE: 03-09-1995
Shirley Howard		2	0	52	

	FATHER	MOTHER	FATHER	MOTHER
1a. Gross Income From Emp.	\$ 8,840	\$ 0	Overtime and Bonuses:	
b. Overtime and Bonuses	\$ 0	\$ 0	Yr. 3	0 0
2. Interest and Dividends	\$ 0	\$ 0	Yr. 2	0 0
3. Unemployment Comp.	\$ 0	\$ 0	Yr. 1	0 0
4. Workers' Comp./Dis. Ins.	\$ 0	\$ 0	Ave.	0 0
5. Other Annual Income	\$ 0	\$ 0	-----	
6. Total Annual Gross Income	\$ 8,840	\$ 0	Adj. For "Other" Children	
7. Other Child Support Paid	\$ 0	\$ 0	Exempt	0 0
8. Resident Children Adj.	\$ 0	\$ 0	Rec'd	0 0
9. Spousal Support Paid	\$ 0	\$ 0	Adjust	0 0
10. Local Taxes Paid	\$ 199	\$ 0	-----	
11. Self Employed FICA Adj.	\$ 0	\$ 0	Child Care Expense	
12. Self-Employed Bus. Exp.	\$ 0	\$ 0	Actual	0 0
13. Total Income Adjustments	\$ 199	\$ 0	Credit	0 0
14. Adjusted Gross Income	\$ 8,641	\$ 0	Result	0 0
15. Combined Annual Income	\$ 8,641		-----	

17. Basic Combined Child Support Obligation:		= \$ 2,432
18. Net Child Care Paid	\$ 0	= \$ 0
19. Health Ins. Paid	\$ 0	= \$ 0
16. % Income/Total Support	100.%	%. \$ 2,432

	FATHER	MOTHER	Worksheet Table Data	
			Income	Support
22. Annual Support Obligation	\$ 2,432	\$ 0	Lower:	8,400 2,244
23. Adjustment Expenses Paid	\$ 0	\$ 0	Actual:	8,641 2,432
26. Deviation Adjustment	\$ 0	\$ 0	Higher:	9,600 3,180
24. Actual Annual Obligation	\$ 2,432	\$ 0	-----	
25. Result Household Income	\$ 6,209	\$ 2,432	-----	

2,432.06 ANNUAL SUPPORT PAYABLE BY FATHER Pay Periods: MONTHLY

	C/S PER WEEK		C/S PER MONTH		C/S PER PAY PERIOD	
	PER CHILD	IN GROSS	PER CHILD	IN GROSS	PER CHILD	IN GROSS
OBLIGATION	23.39	46.77	101.34	202.67	101.34	202.67
POUNDAGE	0.47	0.94	2.03	4.05	2.03	4.05
TOTAL	23.86	47.71	103.37	206.72	103.37	206.72

WORKSHEET SOLE/SHARED

	COLUMN I FATHER	COLUMN II MOTHER	COLUMN III COMBINED
6. Total annual gross income (add lines 1-5)...	\$ 8,840	\$ 0	
7. Annual court-ordered support paid for other children.....	\$ 0	\$ 0	
8. Adjustment for minor children born to either parent and another parent, which children are living with this parent (number of children times federal income tax exemption less child support received for the year, not to exceed the federal tax exemption).....	\$ 0	\$ 0	
9. Annual court-ordered spousal support paid to a former spouse.....	\$ 0	\$ 0	
10. Amount of local income taxes actually paid or estimated to be paid.....	\$ 199	\$ 0	
11. For self-employed individuals, deduct 5.6% of gross income or the actual marginal difference between the actual rate paid by the self-employed individual and the F.I.C.A. rate.....	\$ 0	\$ 0	
12. For self-employed individuals, deduct ordinary and necessary business expenses...	\$ 0	\$ 0	
13. Total gross income adjustments (add lines 7 - 12).....	\$ 199	\$ 0	
14. Adjusted annual gross income (subtract line 13 from line 6).....	\$ 8,641	\$ 0	
15. Combined annual income that is basis for child support order (add line 14, Col I and Col II).....			\$ 8,641
16. Percentage parent's income to total income			
a. Father (divide line 14, Col I by line 15, Col. III).....	100%		
b. Mother (divide line 14, Col II by line 15, Col. III).....		.%	= 100%
17. Basic Combined Child Support obligation (refer to basic child support schedule in division (D) of section 3113.215 of the Revised Code; in the first column of the schedule, locate the sum that is nearest to the combined annual income listed in line 15, Col. III of this worksheet, then refer to the column of the schedule that corresponds to the number of children in this family. If the income of the parents is more than one sum, and less than another sum, in the first column of the schedule, you may calculate the basic combined child support obligation based upon the obligation for those two sums.).....			\$ 2,432

WORKSHEET SOLE/SHARED

COLUMN I FATHER COLUMN II MOTHER COLUMN III COMBINED

18. Annual child care expenses that are work, employment training, or education related, as approved by the court or agency (deduct the tax credit from annual cost, whether or not claimed).....	\$ 0	\$ 0	
19. Marginal, out-of-pocket costs, necessary to provide for health insurance for the children who are the subject of this order.	\$ 0	\$ 0	
20. Total child care and medical expenses (add lines 18 and 19, Column I and Column II)...	\$ 0	\$ 0	
21. Combined annual child support obligation for this family (add lines 17 and 20, Col I and Col II).....			\$ 2,432
22. Annual support obligation/parent			
a. Father (multiply line 21, Col III, by line 16a).....	\$ 2,432		
b. Mother (multiply line 21, Col III, by line 16b).....		\$ 0	
23. Adjustment for actual expenses paid for annual child care expenses and marginal, out-of-pocket costs, necessary to provide for health insurance (enter number from line 18 or 19 if applicable).....	\$ 0	\$ 0	
24. Actual annual obligation (subtract line 23 from line 22a or 22b).....	\$ 2,432	\$ 0	
25. Gross household income per party after exchange of child support (add lines 14 and 24 Col I or II for residential parent or, in the case of shared parenting order, the parent to whom child support will be paid; subtract line 24 Col I OR II from line 14 for the parent who is not the residential parent or, in the case of shared parenting order, the parent who will pay child support).....	\$ 6,209	\$ 2,432	
26. Comments, rebuttal, or adjustments to correct figures in lines 24, Column I and 24 Column II if they would be unjust or inappropriate and would not be in best interest of the child or children (specific facts to support adjustments must be included)..... (Addendum sheet may be attached.)	\$ 0	\$ 0	

27. Final figure (this amount reflects final annual child support obligation of FATHER.....\$ 2,432.06

28. For Decree:

Child support per child per week or per month (divide obligor's annual share, line 27, by 12 or 52 and by number of children)

Child support per child per Week.....\$ 23.39

Child support per child per Month.....\$ 101.34

29. For Deduction Order:

Child support per MONTHLY's pay period (calculate support per pay period from figure on line 28) plus appropriate poundage:\$ 202.67 \$ 4.05

Full support deduction amount including poundage: \$ 206.72 per pay

Calculations have been reviewed.

Signatures:

Father I do / do not consent

Mother I do / do not consent

Sworn to before me and subscribed in my presence, this ___ day of ___ 19__ .

Sworn to before me and subscribed in my presence, this ___ day of ___ 19__ .

Notary Public

Notary Public

Attorney for Father

Attorney for Mother

Supportworks Child Support Worksheet Program: Ver 4.2 (C) 1988 - 1994 Piper Software Productions, Inc. (614) 895-5500 2864 Atoll Drive, Galena, OH 43021

0 0 0 0 0 0 0

DATE: 03-09-1995

LUCAS COUNTY CHILD SUPPORT ENFORCEMENT AGENCY ARREARAGE STATEMENT

This report represents an arrearage statement for the following case based on the orders contained in the Child Support Enforcement Agency case file: This report was requested & printed by the Domestic Relations Court for the court's exclusive use. Its use is not authorized by anyone outside the court's staff.

COURT ORDER INFORMATION: 1

Case Number: THS Report Date 10/09/95
 Docket DR940181 Obligor GREGORY T HOWARD
 JC Obligea SHIRLEY HOWARD
 1 OF 2

CHRG TYPE	AMOUNT	FREQUENCY	BEGIN DATE	ARREARAGE INFORMATION:	
SUPPORT	264.70	Monthly	06/08/95	NON-ADC ARREARAGE	
ALIMONY	200.00	Monthly	06/08/95	ADC ARREARAGE	3,135.98
MEDICAL				POUNDAGE ARREAR	12.83
				TOTAL ARREARAGE	3,148.81

**** Negative TOTAL ARREARAGE indicates overpayment ****

Is Obligea currently receiving ADC benefits for this case? YES
 Is case status IV-D? YES Wage assignment currently on file? YES

If total arrearage includes ADC, the breakdown between ADC & Non ADC may change pending a required distribution. (CSEM 4300)

PAYMENT HISTORY:

Amount paid Year-to-Date 4,421.79 Last Date Paid 06/19/95

Payment History (last 3 months):

Date / Amount Date / Amount Date / Amount

By: _____
 Assignment Commissioner, Domestic Relations Court

LUCAS COUNTY CHILD SUPPORT ENFORCEMENT AGENCY ARREARAGE STATEMENT

This report represents an arrearage statement for the following case based on the orders contained in the Child Support Enforcement Agency case file: This report was requested & printed by the Domestic Relations Court for the court's exclusive use. Its use is not authorized by anyone outside the court's staff.

COURT ORDER INFORMATION: 1

Case Number: THS Report Date 10/09/95
 Docket DR940181 Obligor GREGORY T HOWARD
 JC Obligee SHIRLEY HOWARD
 2 OF 2

CHRG TYPE	AMOUNT	FREQUENCY	BEGIN DATE	ARREARAGE INFORMATION:	
SUPPORT	264.70	Monthly	06/08/95	NON-ADC ARREARAGE	1,058.80
ALIMONY				ADC ARREARAGE	
MEDICAL				POUNDAGE ARREAR	5.86
				TOTAL ARREARAGE	1,064.66

**** Negative TOTAL ARREARAGE indicates overpayment ****

Is Obligee currently receiving ADC benefits for this case? NO
 Is case status IV-D? YES Wage assignment currently on file? YES

If total arrearage includes ADC, the breakdown between ADC & Non ADC may change pending a required distribution. (CSEM 4300)

PAYMENT HISTORY:

Amount paid Year-to-Date 555.31 Last Date Paid 04/27/95

Payment History (last 3 months):

Date / Amount Date / Amount Date / Amount

By: _____
 Assignment Commissioner, Domestic Relations Court