



AGAINST <sup>1</sup>JUDGE DAVID LEWANDOWSKI OF THE LUCAS COUNTY COURT OF COMMON PLEAS, DOMESTIC RELATIONS DIVISION AND SHIRLEY A. HOWARD WAS DENIED FILED DECEMBER 2, 2008 WITH THE APPLICATION FOR LEAVE TO FILE A MOTION FOR COURT HEARING PURSUANT TO OHIO REVISED CODE §3123.05 AS FILED WITH THIS COURT ON JUNE 18, 2009, *INSTANTER*

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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 Relator files this motion for leave to file the above-described exhibits together with his application for leave to file a motion for court hearing pursuant to R.C. §3123.05, *instanter*.

Plaintiff-Relator hereby provide notice of filing application for leave and the above-described exhibits together with his application for leave to file a motion for court hearing pursuant to R.C. §3123.05, *instanter*. See attached Exhibits 1, 2 and 3 respectively.

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<sup>1</sup> A list of other actions that the Plaintiff accuses or believes that the primary Defendant/Respondent has fraudulently denied justice to him in connection with his rulings in: State ex rel. Howard v. Judge David E. Lewandowski, Case No. 00-1774; Howard v. Judge Spore, (2001), 91 Ohio St. 3d 131; State ex rel. Howard v. Seaway Food Town, Inc., (2002), 94 Ohio St. 3d 171; State ex rel. Howard v. Seaway Food Town, Inc., (2002), 94 Ohio St. 3d 440; State ex rel. Howard v. Ohio Bureau of Workers' Comp., 96 Ohio St. 3d 200, 2002-Ohio-4097; State ex rel. Howard v. Ohio Bureau of Workers' Comp., 96 Ohio St. 3d 199, 2002-Ohio-3956; State ex rel. Howard v. Seaway Food Town, Inc., 96 Ohio St. 3d 45, 2002-Ohio-3318; In re Gregory T. Howard (2002), 122 S. Ct. 1812; In re Gregory T. Howard (2002), 122 S. Ct. 1387; In re Gregory T. Howard (1997), 520 U.S. 1244; Howard v. Howard (1996), 77 Ohio St. 3d 1445; Gregory T. Howard v. Judge Ruth Ann Franks, (2000) Ohio App. LEXIS 3828 (6<sup>th</sup> App. Dist. 2000); Gregory T. Howard v. Judge Roger Weiher, (1998), Ohio App. LEXIS 5054 (6<sup>th</sup> App. Dist.); Gregory T. Howard v. Judge Judson Spore, (2000), Ohio App. LEXIS 3462 (6<sup>th</sup> App. Dist. 2000); Gregory T. Howard v. Judge Judy Lanzinger, (1998), Ohio App. LEXIS 1018 (6<sup>th</sup> Dist. 1998); State ex rel. Gregory T. Howard v. Indus. Comm., et al., Case Nos. 02-0011, 02-0012, 02-0013 in violation of the Ohio Constitution. See Article I, Section 16 of the Ohio Constitution.

Accordingly, the Relator respectfully requests that this Court permit him to file instanter the attached above-described exhibits together with his application for leave to file a motion for court hearing pursuant to R.C. §3123.05, instanter..

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 19<sup>th</sup> day of June, 2009 to:

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

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

<sup>2</sup>(614) 466-9354  
Governor Ted Strickland  
77 High Street, 30<sup>th</sup> Floor  
Columbus, Ohio 43215-6117

(614) 728-7592  
Assistant Attorney General  
Kent M. Shimeall, Esq.  
State Office Tower  
30 East Broad Street, 16<sup>th</sup> 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

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<sup>2</sup> 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).

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

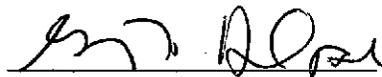
(614) 462-6012

Patrick J. Piccininni

Assistant Prosecuting Attorney

373 South High Street, 13<sup>th</sup> Floor

Columbus, Ohio 43215



Gregory T. Howard

Appellant-Claimant, pro-se

IN THE COURT OF APPEALS OF OHIO

FILED  
COURT OF APPEALS  
FRANKLIN COUNTY, OHIO

TENTH APPELLATE DISTRICT

2008 JUN 30 PM 4:07

State of Ohio ex rel. Gregory T. Howard, :

CLERK OF COURTS

Relator, :

v. :

No. 07AP-1085

Ohio Industrial Commission of Ohio, :  
Administrator of the Ohio Bureau of :  
Workers' Compensation and Franklin :  
County Court of Common Pleas, :

(REGULAR CALENDAR)

Respondents. :

JOURNAL ENTRY

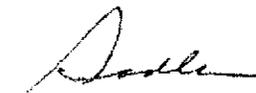
Relator seeks leave to file a mandamus action against a Common Pleas judge of Lucas County. This court is not the proper court to authorize that filing pursuant to R.C. 2323.52. Relator's June 25, 2008 motion for 60(B) relief is denied.



\_\_\_\_\_  
Judge Charles R. Petree



\_\_\_\_\_  
Judge G. Gary Tyack



\_\_\_\_\_  
Judge Lisa L. Sadler

*Off.*

EX. 111

FILED  
LUCAS COUNTY

2005 JUL 29 A 8:43

REDACTED

DOMESTIC RELATIONS  
BERNIE QUILTER  
CLERK OF COURTS

**IN THE COURT OF COMMON PLEAS OF LUCAS COUNTY, OHIO  
DOMESTIC RELATIONS DIVISION**

Gregory T. Howard  
P.O. Box 3096  
Toledo, Ohio 43607-0096  
SSN:  
DOB: 07/21/54

Plaintiff,

vs.

Shirley A. Howard  
7049 Precious Stone Drive  
Holland, Ohio 43528  
SSN:  
DOB: 10/16/52

Defendant.

\* Case No. DR 1994-0181

\* Judge David Lewandowski

\* **JUDGMENT ENTRY OF DISMISSAL**

PLAINTIFF'S  
EXHIBIT  
173

This matter is before the Court on Plaintiff's third and final 60(B) Motion to Vacate the Order of Dismissal of March 30, 2005.

Plaintiff has been declared a vexatious litigator by the Franklin County Court of Common Pleas, pursuant to its Final Judgment Entry and Order file-stamped May 10, 2005. Therein, the Court ordered that "Howard shall not continue in any legal proceeding that he has instituted 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 this Order."

MAILED BY

JOURNALIZED

AUG 4 - 2005

AUG 1 - 2005

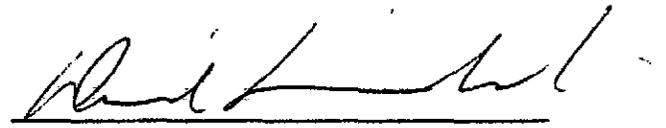
EX. "2"

CASSETTE 523 PG. 7

In addition, the Court stated that "[p]ursuant to R.C. 2323.54(F), only [the Franklin County Court of Common Pleas] may grant Howard leave for institution or continuance of, or making of an application in, legal proceedings in the Ohio Court of Claims, or in any court of common pleas, municipal court, or any county court in Ohio."

Plaintiff has failed to obtain the required leave to continue in the legal proceeding pending in this Court. Therefore, Plaintiff's motion is hereby dismissed.

SO ORDERED.

  
\_\_\_\_\_  
Judge David Lewandowski

\_\_\_\_\_  
Date 7/28/05

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Please serve parties and attorneys of record by ordinary U.S. Mail Service.

FILED  
COURT OF APPEALS

2008 DEC -2 P 3:11

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

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

State of Ohio, ex rel. Gregory T. Howard

Court of Appeals No. L-08-1361

Petitioner

v.

Lucas County Domestic Relations Court  
and Shirley A. Howard

**DECISION AND JUDGMENT**

Respondents

Decided:

**DEC 02 2008**

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This matter is before the court on the motion of Gregory T. Howard, a previously declared vexatious litigator, for leave to file a complaint in mandamus against Judge David Lewandowski of the Lucas County Court of Common Pleas, Domestic Relations Division, and Shirley A. Howard.

Howard 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. R.C. 2323.52(D)(3) provides that a person declared to be a vexatious litigator, "may not

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DEC - 2 2008

EX. "3"

**FAXED**

institute legal proceedings in a court of appeals \* \* \* or make any application, other than the application for leave to proceed allowed by division (F)(2) of this section, in any legal proceedings instituted by the vexatious litigator or another person in a court of appeals without first obtaining leave of the court of appeals to proceed pursuant to division (F)(2) of this section."

R.C. 2323.52(F)(2) then reads in relevant part:

"A person who is subject to an order entered pursuant to division (D)(1) of this section and who seeks to institute or continue any legal proceedings in a court of appeals or to make an application, other than an application for leave to proceed under division (F)(2) of this section, in any legal proceedings in a court of appeals shall file an application for leave to proceed in the court of appeals in which the legal proceedings would be instituted or are pending. The court of appeals shall not grant a person found to be a vexatious litigator leave for the institution or continuance of, or the making an application in, legal proceedings in the court of appeals unless the court of appeals is satisfied that the proceedings or application are not an abuse of process of the court and that there are reasonable grounds for the proceedings or application."

Howard has attached to his motion a complaint for a writ of mandamus which he seeks to file in this court. It is evident from that complaint that Howard seeks, through that complaint, to challenge the divorce decree entered by Judge Lewandowski on June 23, 1995, in *Howard v. Howard*, Lucas County Common Pleas Case No. DR 94-0181.

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Upon review, we are not satisfied that there are reasonable grounds for the application and that application is not an abuse of process.

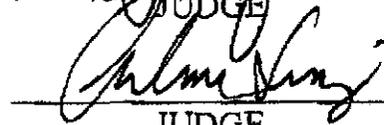
Accordingly, Howard's motion for leave to file a writ of mandamus is denied at petitioner's costs.

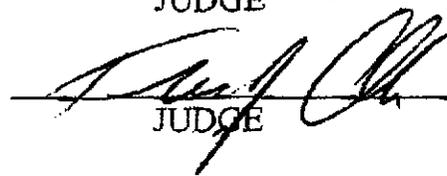
Mark L. Pietrykowski, P.J.

Arlene Singer, J.

Thomas J. Osowik, J.  
CONCUR.

  
\_\_\_\_\_  
JUDGE

  
\_\_\_\_\_  
JUDGE

  
\_\_\_\_\_  
JUDGE

FAXED