

IN THE SUPREME COURT OF OHIO

ORIGINAL

Stephen Lindsey, Administrator  
of the Estate of Caleb Lindsey

09-1247

Appellant,

On Appeal From The Summit  
County Court of Appeals,  
Ninth Judicial District

vs.

Summit County Children Services Board,  
*et al.*,

Court of Appeals  
Case No. 24352

Appellees.

**NOTICE OF APPEAL OF APPELLANT STEPHEN LINDSEY**

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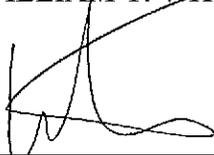
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SUPREME COURT OF OHIO

Appellant, Stephen Lindsey, hereby gives notice of appeal to the Supreme Court of Ohio from the Decision from the Summit County Court of Appeals, Ninth Judicial District, entered in Court of Appeals Case No. 24352 on May 27, 2009.

This case raises a substantial constitutional question and is one of public and great general interest.

Respectfully submitted,  
WILLIAM T. WHITAKER CO., L.P.A.



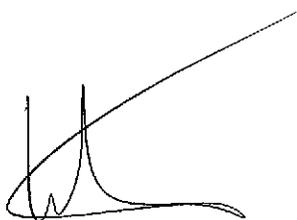
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**Certificate of Service**

I hereby certify that a copy of this Notice of Appeal was sent by regular U.S. Mail on this 9<sup>th</sup> day of July, 2009 to:

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COURT OF APPEALS  
DANIEL M. HARRIGAN

STATE OF OHIO )

IN THE COURT OF APPEALS

) ss: 2009 MAY 27 AM 7:10  
NINTH JUDICIAL DISTRICT

COUNTY OF SUMMIT )

SUMMIT COUNTY

STEPHEN LINDSEY, ADM'R. CLERK OF COURTS A. No. 24352

Appellant

v.

SUMMIT COUNTY CHILDREN'S  
SERVICES BOARD, et al.

Appellees

APPEAL FROM JUDGMENT  
ENTERED IN THE  
COURT OF COMMON PLEAS  
COUNTY OF SUMMIT, OHIO  
CASE No. CV 2007 03 2160

DECISION AND JOURNAL ENTRY

Dated: May 27, 2009

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MOORE, Presiding Judge.

{¶1} Appellant, Stephen Lindsey, appeals from the decision of the Summit County Court of Common Pleas. This Court affirms.

I.

{¶2} This case results from the tragic death of two-year-old C.L. in December of 2002. C.L. was born in November of 2000 and his parents separated shortly thereafter. His Mother, nka Crystal Jones ("Mother"), left the family home and moved in with her parents. C.L. remained with his Father, Appellant Stephen Lindsay ("Father"), and starting in February of 2002, C.L. began visiting Mother overnight. These visits took place at Mother's parents' home on Gale Street in Akron, Ohio. On March 25, 2002, Father arrived at Mother's residence to pick up C.L. Father noticed a red mark on C.L.'s face and questioned Mother. Mother indicated that she was not sure what caused the mark, and that perhaps it was an allergy. Father took C.L. to daycare, and as he was removing C.L.'s sweatshirt, he noticed that the red mark was more