

ORIGINAL

IN THE SUPREME COURT OF OHIO

SAINT TORRANCE,	:	Case No.: 09-1721
	:	
Relator,	:	ORIGINAL ACTION IN MANDAMUS
	:	AND PROHIBITION
	:	
v.	:	
	:	
HONORABLE JUDGE JEROME J.	:	
METZ, <i>et al.</i>	:	
	:	
Respondents.	:	

THE HONORABLE JEROME J. METZ, JR.'S MOTION TO DISMISS

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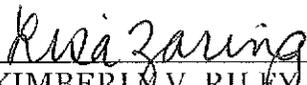
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MOTION TO DISMISS

Comes now Respondent the Honorable Judge Jerome J. Metz of the Hamilton County Court of Common Pleas, by and through counsel and pursuant to Supreme Court Rule X(5), and respectfully requests this Court dismiss this Relator's Petition for the reasons specified herein.

Respectfully submitted,


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Memorandum of Law

Pro se Relator Saint Torrance brings this original action in mandamus, prohibition, and procedendo against the Honorable Judge Jerome J. Metz of the Hamilton County Court of Common Pleas.

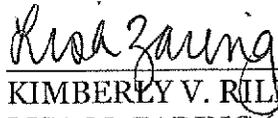
On October 26, 2009, this Court determined that Torrance is a vexatious litigator under S.Ct.Prac.R. XIV(5)(B). See October 26, 2009 Entry, *Torrance v. Bealer, et al.*, Supreme Court Case No. 2009-1497. In that Entry, this Court ordered that “Torrance is prohibited from continuing or instituting legal proceedings in this Court without first obtaining leave. Any request for leave shall be submitted to the Clerk of this Court for the Court’s review.” *Id.* Since Torrance has not sought leave of this Court to proceed with this case, dismissal is appropriate.

There are additional valid and compelling grounds for dismissal, but based on the recent vexatious litigator holding, Judge Metz will not burden the record with full briefing of those grounds herein. Instead, Judge Metz incorporates herein by reference, as if fully rewritten, the arguments set forth in the Honorable Judge Beth A. Myers’ Motion to Dismiss, filed in *Torrance v. Myers, et al.*, Supreme Court Case No. 2009-1711, as well as the arguments presented in Judge Metz’s co-Respondents’ motions to dismiss this case.

Conclusion

For all of the foregoing reasons, Respondent the Honorable Judge Jerome J. Metz respectfully requests this Court dismiss Relator Saint Torrance’s Petition.

Respectfully submitted,



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CERTIFICATE OF SERVICE

On October 28, 2009, I served a copy of the foregoing upon the following party via regular U.S. Mail, first-class postage prepaid:

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