

ORIGINAL

IN THE SUPREME COURT OF OHIO

David R. Pheils, Jr.,

Appellee,

-vs-

David Palmer, et al.,

Appellant.

◆
◆
◆
◆
◆
◆
◆

S.Ct. Case No. 2010-0054

On Appeal from the Lucas County
Court of Appeals, Sixth Appellate District

Appellate Case Nos. L98-1053
L08-1333

APPELLEE'S MEMORANDUM OPPOSING NOTICE OF APPEAL
OF APPELLANT, DAVID PALMER

David R. Pheils, Jr. (0005574)

Attorney and Counselor at Law

26883 West River Road

Perrysburg, OH 43551

Telephone: (419) 874-2629

Fax: (440) 853-6224

drpj@buckeye-access.com

Appellee pro se

David Palmer

1720 Creekside Dr. Apt. 2108

Folsom, CA 95630

Telephone: (916) 367-9585

Noethics1@aol.com

Appellant pro se

Timothy C. James (001412)

Lorri J. Britsch (0067507)

Ritter, Robinson, McCready & James, Ltd.

405 Madison Ave., Suite 1850

Toledo, OH 43614

Telephone: (419) 241-3213

Fax: (419) 241-4925

james@rrmj.com

britsch@rrmj.com

Attorney for Ok Sun Palmer

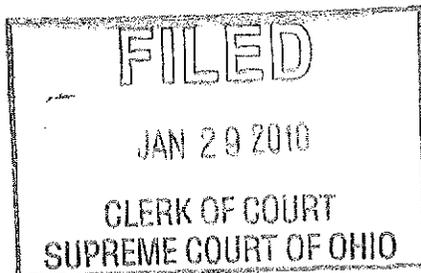


TABLE OF CONTENTS

	<u>Page No.</u>
TABLE OF AUTHORITIES	ii
STATEMENT OF THE CASE AND RELEVANT FACTS	1
ARGUMENT	1
CONCLUSION	2
CERTIFICATE OF SERVICE	2

TABLE OF AUTHORITIES

S.Ct. III

THIS CASE RAISES NO SUBSTANTIAL CONSTITUTIONAL QUESTION

NOR IS IT OF PUBLIC OR GREAT GENERAL INTEREST

Appellant's, hereinafter called David Palmer, Assignments of Error by the Court of Appeals involve routine issues ruled upon and determined by all Ohio courts thousands of times each year upon principles well established in Ohio and needing no further explanation by this Court.

STATEMENT OF THE CASE

Appellee incorporates the Court of Appeal's 12/4/09 Decision and Judgment as if fully rewritten herein. Interestingly, Ok Sun Palmer has failed to appeal the Sixth District's judgment and she is the Defendant who paid the Judgment.

STATEMENT OF THE FACTS

Appellee incorporates the Court of Appeal's 12/4/09 Decision and Judgment as if fully rewritten herein. David Palmer's Statement of Facts is a collection of lies and prevarications combined with half truths containing nothing relevant to the case below, but involving numerous cases long ago finally determined against the Palmers.

ARGUMENT

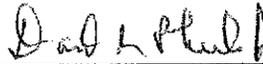
- A) David Palmer has failed to comply with Supreme Court Rule III, such as:
- 1) Assignments of Error rather than Propositions of Law;
 - 2) Merely repeats the same arguments as to what the evidence showed he made to the jury, two trial judges and the Court of Appeals, all of which rejected them all;
 - 3) Failed to include the trial court opinions and judgments as required by S.Ct. III(1)(D);

- 4) Failed to include a memorandum cover page pursuant to Appendix F.
- B) Because the judgment below was fully satisfied by his co-Defendant, who has not appealed the Decision below, David Palmer's complaints are moot.
- C) The record fails to support any of Appellants' arguments.

CONCLUSION

Appellant's appeal is not worthy of review by this Court and serves merely to waste additional judicial time and cause additional expense as demonstrated by Mr. Palmer's over two decades of abuse of the Ohio courts!

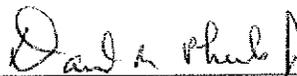
Respectfully submitted,



David R. Pheils, Jr.
Appellee pro se

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document has been served upon **Timothy C. James, and Lorri J. Britsch**, *Attorneys for Defendant, Ok Sun Palmer*, at Ritter, Robinson, McCready & James, 405 Madison Avenue, Suite 1850, Toledo, Ohio, 43601-1273; and, **David Palmer**, at 1701 Creekside Drive, Apt. 2108, Folsom, California, 95630, via regular U.S. mail, postage prepaid, on this 25th day of January, 20010.



David R. Pheils, Jr.
Appellee pro se