

**ORIGINAL**

**THE SUPREME COURT OF OHIO**

Cleveland Metropolitan Bar Association	)	CASE NO. 2009-1535
	)	
Relator	)	MOTION TO VACATE ORDER
	)	
-vs-	)	
	)	
John C. Kealy,	)	
	)	
Respondent	)	

On August 4, 2010 the Court, sua sponte, ordered that Respondent John C. Kealy be found in contempt of Court for failure to comply with producing an Affidavit of Compliance. On August 30, 2010, Affidavit of Compliance was filed in response to the Contempt Order. A return receipt was received by John C. Kealy on September 3, 2010. The original objection was that the Affidavit of Compliance was not received in a timely fashion. Respondent was advised that the Affidavit was received one day late by the Supreme Court even though there was an Affidavit signed by the Respondent's Secretary that she personally filed it a day before the expiration date.

Another issue then arose whether the Cleveland Metropolitan Bar Association had received proof of service. This matter was clarified with service being provided to the Bar Association.

Wherefore, Respondent John C. Kealy, prays that the Contempt Order be vacated since there has been good faith efforts to comply with the Supreme Court rules of procedure.

Respectfully submitted,

*John C. Kealy*  
 \_\_\_\_\_  
 John C. Kealy  
 123 West Prospect Avenue #250  
 Cleveland OH 44115  
 (216) 621-9870

**RECEIVED**  
 SEP 14 2010  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

**FILED**  
 SEP 14 2010  
 CLERK OF COURT  
 SUPREME COURT OF OHIO

**PROOF OF SERVICE**

A copy of the foregoing Motion to Vacate Order was sent by regular US mail to:

Cleveland Metropolitan Bar Association  
1301 E. 9<sup>th</sup> Street - 2<sup>nd</sup> Level  
Cleveland OH 44114

this 9 day of September, 2010.

  
\_\_\_\_\_  
John C. Kealy