

**IN THE SUPREME COURT OF OHIO**

**WILLIAM F. CHINNOCK**

**Case No. 10-1624**

**Relator,**

**-vs-**

**ANSWER**

**THE AVON LAKE MUNICIPAL COURT, et al.**

**Respondents**

For their Answer in response to Relator's Complaint for Mandamus the Respondents state:

1. The Relator has filed complaints in the Respondent Court for forcible entry and detainer in an effort to be repossessed through an order of restitution of his property sold under land contract to the defendants in those actions.
2. Each of the lawsuits was defended by motions to dismiss for lack of jurisdiction. Those motions were granted due to Relator's failure to initiate the litigation by following the mandates of the statutory scheme set forth in R.C. 5313.05 and 5313.06.
3. Relator has an adequate remedy at law. He merely has to refile the lawsuit following the provisions of R.C. 5313.05 and 5313.06, thereby avoiding the jurisdictional defense which required the court to grant the defendants' motions to dismiss.

Having fully answered, the Respondents respectfully requests that Relator's Complaint be dismissed.

**RECEIVED**  
SEP 27 2010  
CLERK OF COURT  
SUPREME COURT OF OHIO

**FILED**  
SEP 27 2010  
CLERK OF COURT  
SUPREME COURT OF OHIO

*Darrel A. Bilancini*  
Darrel A. Bilancini (0021696)  
Judge  
Avon Lake Municipal Court  
32855 Walker Road  
Avon Lake, Ohio 44012

**CERTIFICATE OF SERVICE**

The Answer of Respondent was sent by regular mail on the 21<sup>st</sup> day of September, 2010 addressed to John C. Fazio, Esq, 843 N. Cleveland-Massillion Rd #UP-11A, Bath Township, Ohio 44333 and William F. Chinnock, Esq., 8238 Sugarloaf Road, Boulder, Colorado 80302.



Darrel A. Bilancini (0021696)

Judge

Avon Lake Municipal Court

32855 Walker Road

Avon Lake, Ohio 44012