ORIGINAL

IN THE SUPREME COURT OF OHIO

Paul S. Henderson Petitioner-Relator, vs. Judge William R. Finnegan Defendant-Respondent.	: Case No.: 11-0084

PETITIONER'S MOTION IN OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS

Now comes Petitioner, Paul S. Henderson, who states the Defendant William R. Finnegan, is clearly acting illegally, and his Motion to Dismiss should be stricken from the record as stated in S.Ct.Prac.R. 14.2 (D).

This Motion is based on the Court of Judge William R. Finnegan acting illegally by rendering judgment on Petitioner's case. The Court clearly knows he did not have the authority to render judgment on a void conviction and judgment except to discharge the Petitioner from this wrongful incarceration.

The laws of the State of Ohio and the Constitution of the United States clearly state the Petitioner's case is void. Since the void order has no legal force or effect beyond it: No judge has the lawful authority to make a void order valid.

The charges were not substantiated by a valid properly executed complaint. Not validly charging the offenses in a court that lacked jurisdiction to render judgment on the alleged charges renders this case void.

Where is the probable cause? Who said the Court had probable cause to arrest the Petitioner? A court cannot confer jurisdiction where none exists. A Court cannot make a void

RECEIVED
FEB 16 2011

FILED
FEB 16 2011
CLERK OF COURT
SUPREME COURT OF OHIO

order valid. A judge who exceeds his office is not obeyed Judici Officium Suum Excedenti Non Parature. See: Petition For Judgment in case at bar.

Now if the Defendant's Court wants the Petitioner to stop using the same Motion then that Court must start acting legally, and render judgment as it states in the law. Furthermore the Petitioner now moves this Court to mark the Defendant's Motion as Exhibit A for it clearly states it is acing illegally.

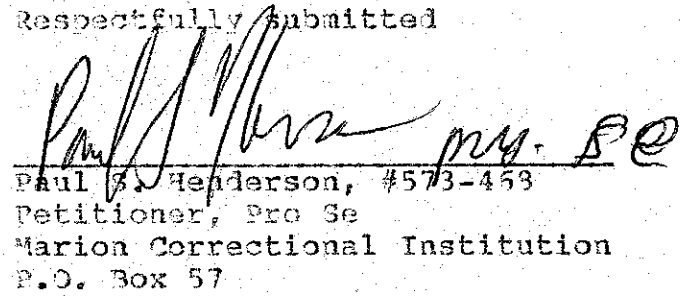
It is clear the Trial Court and the Defendant's Court are acting illegally. They are working hand in hand while acting contrary to and circumventing the law. See: Crim.R. 3 and Crim.R. 7 (B) on what must happen before the Petitioner can be legally arrested. This did not happen in this case.

Therefore, this Honorable Court must take over the business of the Trial Court and the Defendant's Court as stated in Richard Stevens vs. Ohio, 3 OhioSt. 453, 1354 Ohio Lexis 172.

This Court must render Petitioner's case a void conviction as stated by law. Then this Court must order Petitioner's immediate release and discharge from this wrongful conviction as stated in the law. This Court clearly has the jurisdiction to render judgment. See: Tingler vs. Marshall, 6th Cir. 715 F.2d 1109, 37 Fed.Serv.2d 934 (1983).

Wherefore the Petitioner now prays for this Honorable Court to grant his judgment and order the Defendant to, or this Court to, immediately release and discharge the Petitioner from this wrongful conviction as it states in the law.

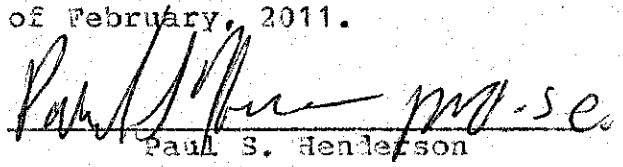
Respectfully Submitted



Paul S. Henderson, #573-453
Petitioner, Pro Se
Marion Correctional Institution
P.O. Box 57
Marion, Ohio 43301-00057

Certificate of Service

I, Paul S. Henderson, certify that a copy of the foregoing motion has been sent to the Defendant Judge William R. Finnegan's Counsel Brent Yager, Prosecuting Attorney of Marion County at 134 East Center Street, Marion, Ohio 43302 on this 14 day of February, 2011.



Paul S. Henderson