Corrected Motion

Supreme Court of Ohio

FILED
MAY 09 2011
CLERK OF COURT
SUPREME COURT OF OHIO

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MAY 09 2011
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MAY 02 2011
CLERK OF COURT
SUPREME COURT OF OHIO

OH ST. BAR ASSN, Relator

v.

Allen, Respondent.

Case No. 2004-2150

Eric Brown
Chief Justice

Motion to Purge Contempt

Comes now John Allen, who timely files this motion to purge the contempt order in this case, be immediately released from custody and close this case as satisfied. Mr. Allen states in support:

1. The Relator, Ohio State Bar Assn., obtained a judgment against Mr. Allen in 2004 for $40,000.00. Mr. Allen is and always has been unable to pay $40,000.00.

2. Over 6 yrs. after the judgment, Relator requested this Court to find Mr. Allen in contempt for not paying the $40,000.00 judgment debt.

3. On July 20, 2010, this Court found Mr. Allen in contempt for not paying the $40,000.00 debt & issued an Arrest Warrant for Mr. Allen to be placed in custody (Debtor's Prison) for 30 days.

4. Courts all over our country have consistently held that each day of incarceration purges $10,000.00 worth of debt.

5. Mr. Allen has spent 4 days in jail 4-26-2011 through 4-29-2011 and at $10,000.00 per day, has purged his contempt debt of $40,000.00, and must be released because the debt has been paid.

6. Mr. Allen is a 60-yr. old man who is not in the best of health. Mr. Allen must carry Nitroglycerin Sublingual Tablets with him at all times due to his heart having a damaged inferior wall from a heart attack.

7. Mr. Allen married Lisa Leigh Bryan on July 7, 2007. This is Mr. Allen's first marriage and his wife's third marriage.

8. Lisa Allen lost her mother to cancer in 2006 and lost her best friend, Kim Schuster, to cancer Nov. 5, 2010. Lisa Allen has also been going through the female "change in life."

9. In March of 2011, Mr. Allen found a Suicide Note on his wife's computer.

10. It took Mr. Allen a few days to confront his wife about the note. Mrs. Allen told Mr. Allen not to worry about it, and she would not seek any counseling for why she wrote the Suicide Note.

11. On Friday, April 22, 2011, Mr. Allen took a copy of his wife's Suicide Note to the Psychiatric Unit of Bethesda Hospital in Zanesville, Ohio. The Psychiatric Unit told Mr. Allen the only way they could help is if Lisa came in voluntarily or the Police brought her in.

12. On Monday, April 25, 2011, the police did take Mrs. Lisa Allen to the hospital + took Mr. Allen to jail on the contempt + Arrest Warrant issued by this Court.

13. Mrs. Allen has been admitted + released provided she go through evaluation, classes + therapy.

14. A Petition to Release Mr. Allen was faxed to this Court on April 28, 2011.

15. Mr. Allen has an obligation under the marriage contract to support Mrs. Allen "in sickness and in health." By keeping Mr. Allen incarcerated, Relator and this Court are infringing on Mr.

Allen's marriage contract obligations.

16. Mr. Allen is now a ward of the state and indigent, and as such, requests this Court to give a copy of this motion to Relator and send a file-stamped copy to Mr. Allen.

Wherefore, John Allen requests this Court to grant this motion in its entirety and release Mr. Allen by calling or faxing the necessary information to the Muskingum County Jail in Zanesville, Ohio to release Mr. Allen from custody immediately upon this Court's receipt of this motion.

Dated: April 29, 2011

Reserving all rights:

John Allen

John Allen
c/o Musk. Co. Jail - 584
28 N. 4TH St.
Zanesville, Ohio 43701

Certificate of Service

I, John Allen, do hereby certify that a copy of this motion has been served upon the Ohio State Bar Association on May 5, 2011 by handing same to a deputy at the Muskingum Co. Jail to be deposited in the U.S. Mail addressed as Ohio St. Bar Assn., 1700 Lakeview Dr., Columbus, OH 43215.

John Allen