

ORIGINAL

IN THE SUPREME COURT OF APPEALS  
FRANKLIN COUNTY OHIO

IN RE: STATE EX REL.

RUSSELL STOKES no. 493-364  
P.O. BOX 57  
MARION, OHIO 43302

11-1493

RELATOR,

SUPREME COURT CASE NO. \_\_\_\_\_

ORIGINAL ACTION

VS.

CUYAHOGA COUNTY SHERIFF DEPT.  
SHERIFF  
1215 W. THIRD ST.  
CLEVELAND, OHIO 44113

COMPLAINT FOR WRIT OF PROCEDENDO  
PURSUANT TO THE ALL WRITS ACT  
28 U.S.C. 1651.

- and -

CUYAHOGA COUNTY CLERK OF COURT  
COMMON PLEAS COURT  
1200 ONTARIO ST  
CLEVELAND, OHIO 44113

FILED  
AUG 30 2011  
CLERK OF COURT  
SUPREME COURT OF OHIO

ATTACHED HERETO: CIVIL HISTORY AFFIDAVIT, AND  
WAIVER OF FEES AND INDIGENT  
AFFIDAVIT ACCORD TO RC. CHAP  
2965 and 2323.

RESPONDENT(S)

C O M P L A I N T

NOW COMES RUSSELL STOKES PRO SE, WHOM MOVES THIS COURT TO ORDER THE RESPONDENTS  
HEREIN, AS THE CUYAHOGA COUNTY SHERIFF DEPT. AND THE CUYAHOGA COUNTY COMMON PLEAS  
COURT CLERK, DIRECTING THEM TO COMPLY WITH THE PRAECIPE AND ORDER FORM IN WHICH I  
SUBMITTED TO BOTH RESPONDENTS TO OBTAIN "MY" INFORMATION AND DID SO PROPERLY BUT YET  
BOTH RESPONDENTS HAVE IGNORED SUCH REQUESTS.

ON OR ABOUT JULY 6th and 'again' on the 20th I SENT A PRAECIPE TO THE CLERK  
OF COURT DIRECTING HER/HIM TO FORWARD A TRUE COPY OF MY SENTENCING JUDGMENT ENTRY,  
DOCKET PRINT OUT AND INDICTMENT AND OTHER INFORMATION RELATED TO MY CRIMINAL CASE,  
WHICH IS NEEDED FOR LEGAL ACTIONS INWHICH I AM CURRENTLY INVOLVED IN, HOWEVER SINCE THIS  
TIME THE CLERK HAS IGNORED THIS DUTY AND HAS DENIED ME MY PAPERS.

ON OR ABOUT JULY 20th 2011 I THEN SENT A REQUEST FOR MY CRIMINAL INFORMATION  
PURSUANT TO THE PUBLIC RECORD ACT TO THE SHERIFF DEPT. ASKING FOR: POLICE REPORT, ATF  
REPORT ETC. (SEE ATTACHMENT) AND AGAIN TEH SHERIFF DEPT. HAS DEPRIVED ME OF THESE  
PAPERS WHICH AGAIN ARE NEEDED FOR LEGAL FILINGS IN WHICH I AM CURRENTLY INVOLVED.

**THEREFORE,** I RESPECTFULLY MOVE THIS COURT FOR THE RELIEF HEREIN AS FOR AN ORDER  
TO THE RESPONDENTS TO FORWARD SUCH DOCUMENTS VIA MAIL TO ME IMMEDIATELY.

CERTIFICATE OF SERVICE

I HEREBY STSATE A TRUE COPY WAS SENT TO THE CLERK OF COURT WITH A PRAECIPE TO  
SERVE ALL PARTIES HEREIN, THIS BEING DONE ON THE 29 DAY OF AUGUST 2011 BY US MAIL.

Russell Stokes  
RELATOR PRO SE

IN THE Supreme COURT  
Franklin COUNTY OHIO

IN RE: Stokes (RELATOR) vs. Cuyahoga Co. Sheriff, et al. (RESPONDENT(S))

AFFIDAVIT IN SUPPORT OF RELATORS ACTION

I, Russell Stokes, RELATOR THE UNDERSIGNED DO DECLARE UNDER OATH AND WITH FULL KNOWLEDGE FOR THE PENALTY FOR PERJURY THAT I AM OVER THE AGE OF CONSENT IN THIS STATE AND I AM COMPETENT TO TESTIFY TO ANY AND ALL MATTERS IN REFERENCE TO THIS ACTION AND I AM NOT AN ACTIVE MEMBER OF THE MILITARY.

I HERBY FURTHER DECLARE THAT ALL THE ENCLOSED AND ATTACHMENTS AND THE INFORMATION HEREIN IS TRUE AND ACCURATE TO THE VERY BEST OF MY PERSONAL KNOWLEDGE.  
FURTHER AFFIANT SAYETH NAUGHT.

Russell Stokes  
AFFIANT

SWORN AND SUBSCRIBED BEFORE ME THIS 23<sup>rd</sup> DAY OF August, 2011

[Signature]  
NOTARY

SEAL:



THOMAS J. KING  
NOTARY PUBLIC  
STATE OF OHIO  
My Commission  
Expires  
November 15, 2014

IN THE Supreme COURT  
Franklin COUNTY, OHIO

IN RE: Stokes vs. Cuyahoga Co. Sheriff, et al.

CIVIL HISTORY & AFFIDAVIT OF  
INDIGENCY AND WAIVER OF FEES  
( R.C. CHAP. 2965, 2323 )

NOW COMES: Russell Stokes AFFIANT PRO SE WHOM FIRST BEING  
DULY SWORN AND CAUTIONED ACCORDING TO LAW HEREBY DECLARES, 1- I AM WHOM I SAY I AM,  
2- I AM A PARTY IN THIS ACTION, 3- I SEEK A WAIVER OF FEES AND COSTS ASSESSED BY THIS  
COURT IN THIS ACTION DUE TO MY INDIGENT STATE, AND 4- I HAVE PREVIOUSLY FILED THE  
FOLLOWING CIVIL ACTIONS WHICH HAVE BEEN DEEMED FRIVOLOUS OR MALICE TOTALING: 0 :

- 1- CASE NO. N/A FILED: \_\_\_\_\_, DISPOSITION: \_\_\_\_\_  
CASE TITLE: \_\_\_\_\_
- 2- CASE NO. N/A FILED: \_\_\_\_\_, DISPOSITION: \_\_\_\_\_  
CASE TITLE: \_\_\_\_\_

(USE ADDITIONAL SHEETS IF NEEDED)

I, THE UNDERSIGNED AM A TRUE PAUPER IN THE TRUE SPIRIT OF R.C.2323.20, 31  
AND PURSUANT TO FEDERAL LAW AND I POSSESS NO SUFFICIENT FUNDS, PROPERTY, NOR CHATTEL  
TO OFFER AS SECURITY TO THE COSTS AND FEES RELATED TO AND IN THIS ACTION.

I, DO DECLARE THAT ALL THE ABOVE IS TRUE TO THE VERY BEST OF MY PERSONAL  
KNOWLEDGE AND UNDERSTANDING.

Russell Stokes  
AFFIANT PRO SE

SWORN AND SUBSCRIBED BEFORE ME THIS 23<sup>rd</sup> DAY OF August, 2011

[Signature]  
NOTARY PUBLIC



THOMAS J. KING  
NOTARY PUBLIC  
STATE OF OHIO  
My Commission  
Expires  
November 15, 2014