

Now the Appellant / Relator Gerald O. Strothers Jr. who respectfully wishes this honorable court lift the mediation stay in this case and let things proceed on the expedited docket.

This honorable court ordered this dispute over access to Public Records pursuant to Ohio Revised Code § 149.43 perhaps in hopes that the two parties would resolve this matter without intervention from the Ohio Supreme Court. Instead, what has occurred is a general disregard for Ohio's Sunshine Laws by East Cleveland Ohio Mayor Gary Norton as evidenced by the filing of a second Writ of Mandamus currently before Cuyahoga County Court of Appeals (Exhibit A).

In the second case once again, Appellant / Relator is asking to review, inspect and copy obvious public records. Mayor Gary Norton Jr. appears to be hiding his books much like Mr. Strothers encountered in *State ex rel. Strothers v. Rish*, 2003-Ohio-2955.

In *Strothers vs. Rish*, supra, after several motions to dismiss and other stall tactics filings, Cuyahoga County Court of Appeals finally ordered that Respondent to provide access to financial records. Unfortunately, lawyers, Louis C. Damiani, Bruce Zaccagnini, Respondent Henry Rish, Treasurer Christopher Krause and board member Santina Klimkowski all faced criminal prosecution and or were convicted as a direct result of the efforts of Mr. Strothers to review, inspect and copy "at cost" those records.

Now, *Strothers vs. Norton* cases one and two are the worst example of how a public office can keep the public from viewing obvious public records. Mediation in this case is unfair to this Relator who has patiently waited a whole year to view what should have been made public in 2010. The filing of the second case clearly should send a signal to this honorable Supreme Court to intervene in this matter via the regular docket.

It is clearly a shame that this Honorable Supreme Court has to use its powers to force Mayor Gary Norton to release his hold on the cities financial and other documents, some of which may show why East Cleveland Ohio is in such dire financial status.

Perhaps the release of the requested public records may also show why there are no working Walk/Don't Walk signs in the entire city, or why the cities jail is infested with rats and roaches.

It is time for Mayor Norton to file his brief and explain why he refuses to simply allow access to public records rather than involve two courts and their honorable justices. Mayor Norton can also just agree to end this issue by replying with an agreed entry allowing Mr. Strothers and others to audit the cities records as requested. Relator, Gerald O. Strothers asks to lift the Mediation Stay and have this case put back on the regular docket and filing schedule.

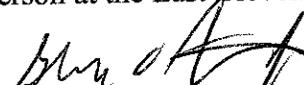
Respectfully submitted,
Gerald O. Strothers Jr



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Certificate of Service

I certify that a copy of this Merit Brief was sent to counsel of record for Appellee, Mayor of East Cleveland Ohio, **Gary Norton Jr., Law Dept**, Ronald K. Riley Deborah Gooden Blade via the captioned address, and presented in person at the East Cleveland Ohio City Council Meeting November 1, 2011



Gerald O. Strothers Jr.



Gerald E. Fuerst, Clerk of Courts Court of Common Pleas - Cuyahoga County, Ohio



DOCKET INFORMATION

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Case Number: CA-11-097421

Case Title: GERALD O STROTHERS JR vs. MAYOR OF EAST CLEVELAND OHIO, GARY NORTON JR, ETAL

Image Viewer: [AlternaTIFF](#)

DOCKET INFORMATION

From Date	Sort	Type	Type	Type	Type	SearchType
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Date	Side	Type	Description
10/27/2011	A1	SF	CERTIFIED MAIL RECEIPT NO: 7008 1830 0001 0898 5330 RETURNED BY U.S. POSTAL DEPT. ON 10-27-2011 MAIL RECEIVED BY ADDRESSEE MAYOR OF EAST CLEVELAND, GARY NORTON, JR., C/O LAW DEPARTMENT, RONALD K. RILEY, DEBORAH GOODEN BLADE . POSTAGE AMOUNT \$6.83
10/26/2011	N/A	MO	RELATOR'S MOTION IN OPPOSITION OF THE RESPONDENTS MOTION TO DISMISS
10/24/2011	A1	SF	CERTIFIED MAIL RECEIPT NO: 7008 1830 0001 0898 5347 RETURNED BY U.S. POSTAL DEPT. ON 10-24-2011 MAIL RECEIVED BY ADDRESSEE LAW DIRECTOR OF THE CITY OF EAST CLEVELAND . POSTAGE AMOUNT \$6.83
10/24/2011	N/A	MO	RESPONDENT'S RESPONSE TO WRIT OF MANDAMUS WITH MOTION TO DISMISS
10/21/2011	N/A	JE	Sua sponte, this writ shall proceed according to the Rules of Civil Procedure and, as applicable, Local Appellate Rule 45. After reviewing the writ and the materials attached to it, this court concludes that this is not an authentic elections writ, and Local Appellate Rule 45(B) (6) is not applicable. This writ does not seek to add, remove or change any ballot language. Instead, this is a public records writ under R. C. 149.43, which seeks the release of records and information, which may or may not influence voters concerning the issue of whether a police officer must be present to enforce a traffic camera citation. Vol. 740 Pg. 331. Notice issued.
10/17/2011	N/A	MO	SUMMONS SENT BY CERTIFIED MAIL TO RESPONDENT
10/14/2011	A1	SF	LEGAL RESEARCH
10/14/2011	A1	SF	COMPUTER FEE
10/14/2011	A1	SF	CLERK'S FEE
10/14/2011	A1	SF	COURT OF APPEALS SPECIAL PROJECTS
10/14/2011	A1	SF	LEGAL NEWS
10/14/2011	A1	SF	POVERTY AFFIDAVIT FILED
10/14/2011	N/A	SF	CASE INITIATED
10/14/2011	A1	EV	BRIEF OF RELATOR FILED.
10/14/2011	A1	EV	PETITION FOR EXTRAORDINARY WRIT OF MANDAMUS WITH AFFIDAVIT OF INDIGENCE FILED.

Image

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Only the official court records available from the Cuyahoga County Clerk of Courts, available in person, should be relied upon as accurate and current.
For questions/comments please [click here](#)