

ORIGINAL

CLERK OF COURT
SUPREME COURT OF OHIO
65 SOUTH FRONT STREET
COLUMBUS?OHIO 43215

PLAINTIFF
HENRY N.HARPER A638-859
P.O.BOX 5500
CHILLICOTHE?OHIO
45601

CIVIL ACTION CASE NO. _____

12-0715

VS.

DEFENDANT
THE JEFFERSONIAN NEWSPAPER COMANY
831 WHEELING AVENUE
CAMBRIDGE?OHIO
43725

CIVIL ACTION CASE NO. _____

ATTORNEY FOR PLAINTIFF

HENRY N.HARPER A638-859 PRO-SE
P.O.BOX 5500 State Route 104 North 15802
CHILLICOTHE?OHIO PHONE 740-774-7080
45601

ATTORNEY FOR DEFENDANT

THE JEFFERSONIAN NEWSPAPER COMANY
831 WHEELING AVENUE P.O.BOX 10
CAMBRIDGE?OHIO PHONE 740-439-3531
43725

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CIVIL COMPLAINT

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HENRY N. HARPER A638-859
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CIVIL ACTION CASE NO. _____

VS.

DEFENDANT
THE JEFFERSONIAN NEWSPAPER CO.
831 WHEELING AVENUE
CAMBRIDGE, OHIO
43725

STATEMENT OF COMPLAINT

The Jeffersonian Newspaper committed Slander and Libel against the Plaintiff Henry N. Harper by the following acts: violating the Ohio Revised Code 2317.04 Impartial report of proceedings privileged: Ohio Revised Code 2317.05: Impartial report of Indictment, warrant, affidavit, or arrest privileged:

The publication of a fair and impartial report of the return of any Indictment, the issuing of any warrant, the arrest of any person accused of crime, or the filing of any affidavit, pleading or other document in any criminal or civil case in any Court of competent jurisdiction, or of a fair and impartial report of the contents thereof, is privileged, unless it is proved that the same was published maliciously, or that the defendant has refused or neglected to publish in the same manner in which the publication complained of appeared, a reasonable written explanation or contradiction thereof by the Plaintiff, or that the publisher has refused, upon request of the Plaintiff, to publish the subsequent determination of such suit or action. This section and section 2317.04 of the Revised Code do not authorize the publication of blasphemous or indecent matter.

The Jeffersonian Newspaper violated this Law by publishing the Article on May 9, 2010 and May 12, 2010, slandering the Plaintiff as applying a label of "drive-by". May 9, 2010 "Man allegedly fires gun in drive-by at home of his former employer!" May 12, 2010, Drive-by suspect remains in jail; bond is \$105,000

STATEMENT OF COMPLAINT

The Jeffersonian Newspaper also violated the Plaintiff's Ohio Constitutional Rights Article 1 Section 11: Freedom of Speech Every citizen may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of the right; and no law shall be passed to restrain or abridge the liberty of speech, or of the press. In all criminal prosecutions for libel, the truth may be given in evidence to the jury, and if it shall appear to the jury, that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted.

The Jeffersonian Newspaper published FALSE and Malicious statements on May 9, 2010 and again on May 12, 2010 intentionally having no regards for the Plaintiff, only to satisfy their own interest, selling newspapers at the expense of others reputation.

May 9, 2010 Front page: A man who allegedly fired a gun on Friday at the Kimbolton area residence of his former employer FALSE information. The Heading labels the incident, article, as a drive-by: Man allegedly fires gun in drive-by at home of his former employer.

May 12, 2010 Front page: Drive-by suspect remains in jail; bond bond is \$105,000 The Jeffersonian Newspaper labeled the article as a drive-by. The article states: Bond was set at \$105,000 Tuesday for Henry Harper, 45, Newscomerstown, who is accused of firing a gun at his former employer's home on Boone Road last Friday night. It was a former employee (Harper) who was intoxicated The initial report indicated Harper fled the scene of the shooting The Plaintiff Henry N. Harper would request the Court to order the Jeffersonian Newspaper Company to prove what FACTS led the newspaper company to publish such false and untrue remarks about the Plaintiff a taxpayer in this State for Twenty-Four years, and a father of three, married for sixteen years to the unidentified female, that was illegally detained after an illegal search by the Guersney County Sheriff's Deputies.

Harper fled the scene of the shooting. WHAT SHOOTING??
~~XXXXXX~~
It was a former employer's (Harper) who was intoxicated. WHERE IS PR
PROOF OF THIS INTOXICATION?? Drive-by WHAT LABEL IS DRIVE-BY??

STATEMENT OF COMPLAINT

The Jeffersonian Newspaper defines the incident in the Article published on May 9, 2010 as a headline on the front page as: Man allegedly fires gun in drive-by at home of his former employer. May the 10, 2010 Front page Article headlines: Drive-by suspect remains in jail; bond is \$105,000

The truth of the matter is that the Plaintiff was charged with Ohio Revised Code 2923.162 Discharge of firearm on or near prohibited ~~XXXXXXXXXX~~ premises: (A) No person shall do any of the following: (3) Discharge a firearm upon or over a public road or highway.

The Plaintiff discharged a firearm over a gravel road out in the country. THERE IS NO SHOOTING AS THE JEFFERSONIAN NEWSPAPER published. The Jeffersonian Newspaper committed Slander and Libel against the Plaintiff Henry Harper when publishing these FALSE and UNTRUE statements. as May 12, 2010 states. Harper fled the scene of the shooting. Discharging a firearm over a gravel road out in the country (rural area) is way different than the Jeffersonian's malicious publication describes as a Drive-by shooting, therefore committing Slander and Libel intentionally, deliberately, and maliciously. The Jeffersonian Newspaper needs to understand the truth and facts of the matter before publishing such defamatory statements such as. May 12, 2010 IT was a former employee (Harper) who was intoxicated. Where is the Jeffersonian Newspaper's proof of this false statement that was published. This Article has been shameful and disgraceful to the image of the Plaintiff as a hardworking taxpayer and a father and husband.

The Jeffersonian Newspaper should be held libel for publishing such malicious LIES.

The Plaintiff Henry N. Harper demands justice for this immoral act committed by this false published information, such as the truth printed on the front page, based on FACTS. Fix the mistakes. Notify the Plaintiff, with the proof of the facts published or the Jeffersonian Newspaper can make amends to the Plaintiff in the set amount of \$105,000 thousand-dollars.

DATE April 23, 2012 SIGNED PRO-SE A. L. M. Harper

THE JEFFERSONIAN

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Sports

OVAC crowns track champions at Meadowbrook



SPORTS, B-1

Community

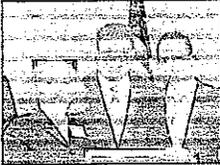
Meet local people who are helping foster children



COMMUNITY, C-1

Business

Development Alliance honors businesses



BUSINESS, D-1

CAMBRIDGE, OH 43725

SOUTHEASTERN OHIO'S GREATEST HOME NEWSPAPER

ESTABLISHED 1892

MAY 9, 2010 50 CENTS



Good morning! Weather

Mostly sunny today. Highs in the upper 50s. Northwest winds 10 to 15 mph. Details on page B-8.

Pizza fund-raiser

Between 6 and 9 p.m. May 10 Papa John's Pizza will donate 15 percent of their sales to the SALT Factory local teen center. Place orders by calling 439-7272.

Horse council

The monthly meeting of the Guernsey County 4-H Equine Council will be 7 p.m. on Wednesday, May 12 at the Plumbers & Pipefitters Union Hall, Cambridge.

All interested are encouraged to attend.

Veterans office closed

Guernsey County Veterans Service office will be closed Tuesday, May 11 for staff training.

Meetings

Guernsey County Port Authority is scheduled to meet at 9 a.m. May 12 in the conference room at the Cambridge Courthouse.

Land doesn't belong to trail, Ellwood rules

4.53 acres is owned by Mr. Tolbert, not Development Corp. which oversees trail

RICK STILLION
THE DAILY JEFFERSONIAN

The Guernsey County Community Development Corporation was recently denied ownership of a four-acre property along the Great Guernsey Trail after a landowner objected to the CDC's claim that it owned the property.

Guernsey County Common Pleas Court Judge David A. Ellwood ruled the 4.53-acre land belongs to George D. Tolbert and denied a request by the CDC for injunctive relief to stop Tolbert and others from posting no trespassing signs and placing logs across the former rail bed.

At the center of the case was a 100-foot by 19,070-foot strip of land that ran through the property owned by Tolbert and was formerly used by railroad companies as a right-of-way for tracks.

The railroad stopped operating in 1992 or 1993, and pulled up the tracks in approximately 1994.

The CDC contended that the land did not then revert to the previous owner, and was instead available for the CDC to purchase through a quit-claim deed with the railroad company.

Tolbert testified during the trial that he believed the land went back to the property owner when the rails were taken up.

Tolbert purchased the property with Larry Able for \$8,000 and has paid the real estate taxes on the strip of land for more than 20 years.

Daniel Speedy, CDC director, testified that the Community Development Corporation and its quit-claim deed from the railroad was to only receive whatever rights the railroad had at the time.

The court used the easement and right-of-way granted by Zadock Davis in August 1852 and recorded on Sept. 18, 1931, in making the final ruling.

In the document filed by Davis, he stated "I, Zadock Davis, do hereby grant and release to said (railroad) company the right to enter upon any lands I own ... in the final construction of such railroad over said land, and to hold and use a strip of land not exceeding one hundred feet in width, except

Happy Mother's Day!



Ryan Pavlov/The Daily Jeffersonian/www.buyjeffphotos.com

Northern Ohio residents Andrea Marshall, l, Sherry Hughes and Maryann Noe, r, look at Mother's Day cards at Donley's Hallmark in downtown Cambridge. The trio were in town visiting relatives.

Man allegedly fires gun in drive-by at home of his former employer

JOHN LOWE
THE DAILY JEFFERSONIAN

A man who allegedly fired a gun on Friday at the Kimbolton-area residence of his former employer remained in custody Saturday as the investigation continued.

The Euga Road suspect was not identified pending the filing of charges.

"We will meet with the prosecutor on Monday to see what charges we will file," Guernsey County Sheriff Mike McCauley

said Saturday.

At 10:50 p.m. Friday, a call to the Guernsey County Sheriff's Office reported that the family of a Boone Road man had been threatened by a man with a gun.

"It was a former employee who was intoxicated," McCauley said. "He reportedly fired rounds while the car was in motion."

The suspect was located at about 2:50 a.m. Saturday at a Heston Road location.

The initial report indicated

the suspect had fled the scene in a blue minivan.

Another caller reported that the suspect's wife or girlfriend had been in the vehicle and was driving at the time of the alleged shooting.

A female was questioned and later released, McCauley said. Sheriff's officials said two vehicles were impounded as a result of the investigation.

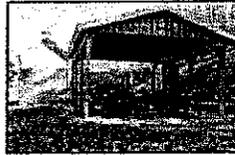
As of press time Saturday a gun was not located, the sheriff said.

jlowe@daily-jeff.com

Page 4 of 4
Cavaliers

Stone House Memorial Service Sunday, May 30

Page A-6



Celtics hand Cavaliers damaging home defeat

Page B-1



THE WEDNESDAY JEFFERSONIAN

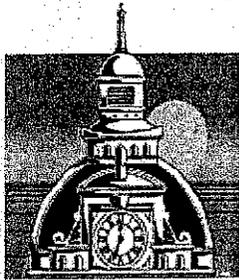
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CAMBRIDGE, OH 43725

SOUTHEASTERN OHIO'S GREATEST HOME NEWSPAPER

ESTABLISHED 1892

MAY 12, 2010 50 CENTS



VOL. 116 NO. 189

Father, daughter die in crash

RICK STILLION
THE DAILY JEFFERSONIAN

LEWISVILLE—A head-on collision involving a tanker truck Tuesday afternoon on Route 78 in Monroe County claimed the lives of a Summerfield man and his 3-year-old daughter.

Leather A. Gainey, 25, and his daughter were both pronounced dead by the Monroe County coroner at the scene of the accident in Seneca Township, approximately five miles west of Lewisville.

Authorities declined to release the name of the little girl.

According to Tpr. Scott Moore with the St. Clairsville post of the Ohio State Highway Patrol, the girl was riding in a safety seat in the back seat of the 2003 Chevrolet Cavalier driven by her father.

Gainey was not wearing a safety belt, according to Moore.

The driver of the 2007 Kenworth tanker truck, identified as Conrad S. Knight, 44, Belpre, was not injured.

The accident occurred at approximately 2:46 p.m.

According to the accident report, Gainey was eastbound on Route 78
See CRASH, page A-3

Good day! Weather

Thursday will be mostly cloudy with a chance of showers and thunderstorms. Highs in the upper 70s. Chance of rain 50 percent. Details on page A-10.

Clean sweep

You're invited to help Main Street get downtown Cambridge clean and looking good for Spring!

The cleanup will be from 8 to 11 a.m. Saturday, with those participating meeting at Advantage Bank.

Place your discarded items at the curb or at your back alley by 10 a.m. Saturday and volunteers will pick it up and carry them away - this is for the downtown only.

Safety Town openings

Cambridge Pilot Club has a few openings remaining for its annual Safety Town in June.

The event is for children entering kindergarten in the fall. Morning and afternoon sessions are available. To register, call 439-1582.

Student art forms

The deadline for turning in application forms for the Salt Fork Student Art Show is June 18. The Student Art Show is open in area

'Some people walk in the rain, others just get wet.'

— Roger Miller



Michael Neilson/The Daily Jeffersonian/www.buyjeffphotos.com

Umbrellas were out in full force Tuesday morning during a heavy, steady rainfall as evident here at Cambridge Crossing.

The Salvation Army recognizes women of Birmingham church

STACY MATHEWS
The Daily Jeffersonian

Capt. Cathy Harrison present-

trator northeast Ohio, served as guest speaker. She spoke on the growing need and the shrinking resources for The

is a happening place."

Lowell Thomas provided musical entertainment, singing several hymns

Drive-by suspect remains in jail; bond is \$105,000

RICK STILLION
THE DAILY JEFFERSONIAN

Bond was set at \$105,000 Tuesday for Henry Harper, 45, Newcomerstown, who is accused of firing a gun at his former employer's home on Boone Road last Friday night.

Harper was charged with having weapons while under disability, a third-degree felony.

The bond was set during an initial hearing in the Cambridge Municipal Court. Harper remained incarcerated in the Guernsey County jail as of press time Wednesday.

Guernsey County Prosecuting Attorney Daniel Padden said he expects to present the case to a grand jury of the Guernsey County Common Pleas Court for consideration of additional charges.

A preliminary hearing is scheduled for May 18 in the municipal court.

At 10:30 p.m. last Friday, a call to the Guernsey County Sheriff's Office reported that

the family of a Boone Road man had been threatened by a man with a gun.

"It was a former employee (Harper) who was intoxicated," said Sheriff Mike McCauley. "He reportedly fired rounds while the car was in motion."

Harper was located at about 2:50 a.m. Saturday at a Heston Road location.

The initial report indicated Harper fled the scene of the shooting in a blue van driven by a female identified only as his wife or girlfriend.

A female was questioned and later released, according to McCauley.

Two vehicles were reportedly impounded as a result of the investigation.

Reports indicate Harper was at the residence earlier Friday and brandished the gun, but no shots were fired. Harper was reportedly driving the vehicle at that time and the female was a passenger.

rs1llion@dailly-jeff.com

Page 2 of 4

Tan allegedly fires gun in drive-by at home of his former employer

HN LOWE
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rstillion@daily-jeff.com

Man convicted for shooting at former employer's house

RICK STILLION
THE DAILY JEFFERSONIAN

A Newcomerstown man is scheduled to be sentenced on Nov. 1 in the Guernsey County Common Pleas Court after being convicted of multiple felony offenses for shooting at his former employer's home in May.

Henry Harper, 46, was convicted of kidnapping, a second-degree felony; having weapons while under disability, a third-degree felony; and discharge of a firearm on or near a prohibited premises (roadway), a first-degree misdemeanor.

"When someone goes to an individual's home and fires a gun at or near the residence, we are going to take that very serious and present the case to the jury in that manner," said Guernsey County Prosecuting Attorney Daniel Padden.

Harper was acquitted by the jury of nine men and three women on one count of tampering with evidence, a third-degree felony.

When sentenced, Harper is facing a maximum of 16 years in prison on the convictions including a mandatory three-year sentence on the gun specification.

The kidnapping charge was lowered from a first-degree misdemeanor to a second-degree misdemeanor after jurors found Harper released the victim unharmed in a safe location.

"The victim testified that she didn't believe she was kidnapped, but the facts of the case determined it was a kidnapping and the jury correctly made the decision to convict him," said Padden.

In all, the prosecuting called eight witnesses during the two-day trial.

Harper was arrested at approximately 2:50 a.m. on May 8 at a Heston Road location following the shooting incident during previous night.

On May 7, a call to the Guernsey County Sheriff's Office reported that the family of a Boone Road resident — Harper's former employer — had been threatened by a man, later identified as Harper, armed with a gun.

An intoxicated Harper reportedly fired rounds at the former employer's home from a van as the vehicle drove in front of the residence. The van was driven by a female identified only as the kidnapping victim.

Harper and the female, who was questioned and later released, fled the scene in the van.

Prior to the shooting incident, Harper was reportedly at the residence and brandished the gun, but no shots were fired. He was driving the vehicle at that time and the female was a passenger.

Harper was ordered held in the Guernsey County jail until his sentencing hearing.

rstillion@daily-jeff.com

EXHIBIT D

Henry N. Harper A638859

STATEMENT OF COMPLAINT

Man convicted for shooting at former employer's house
Slander, there is no conviction for shooting at anything. for shooting at his former's employer's home in May.

The victim testified that she didn't believe she was kidnapped. But the facts of the case determined it was a kidnapping and the jury correctly made the decision to convict him, said Padden. FALSE, The VICTIM stated NO when Asked if she was kidnapped

The JURY wanted to see a copy of the victim's testimony. the wife of the defendant for sixteen years Tina HARPER. The defense Attorney Lindsey K. Donehue and Prosecutor Daniel G.

Padden agreed not to let the Jury see where Tina Harper testified That she was NOT KIDNAPPED, so the answer by the Judge was NO. An intoxicated Harper reportedly fired rounds at the former employer's home. There was NO evidence of Intoxication False

THE DAILY JEFFERSONIAN

PAGE A-6 WEDNESDAY, OCTOBER 20, 2010

CLERK OF COURT
SUPREME COURT OF OHIO
CIVIL COMPLAINT
AFFIDAVIT OF MEMORANDUM IN SUPPORT

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XXX43725

AFFIDAVIT OF MEMORANDUM IN SUPPORT
OF CIVIL ACTION

I Henry N. Harper hereby certify that this Civil Complaint complies with Supreme Court Practice Rule 10.4 Institution of Original Action(A),(B). This Complaint is also in Compliance WITH Supreme Court Practice Rule 10.7 Presentation of Evidence. See Enclosed Exhibits A,B,C,D, The Jeffersonian Newspaper Company committed Slander and Libel against the Plaintiff Henry N. Harper by the following acts: Violating Ohio Revised Code 2317.04 and Ohio Revised Code 2317.05: Impartial report of Indictment, Warrant, Affidavit, or Arrest privilege. The Jeffersonian Newspaper Company violated this Law by publishing the Article on May 9, and May 12, also ~~May~~ October 20, of 2010. Also a violation of Ohio Constitution Article One(1) Section Eleven(11) Freedom of Speech: Every citizen may freely speak, write, and publish his sentiments on all subjects being responsible for the abuse of the right; The Jeffersonian Newspaper Company violated these rights by the FALSE and Slanderous and Libelious publications that have NO ACTUAL FACTUAL PROOF as stated in the Complaint as Drave-BY, at Kimbolton residence, who is accused of firing a gun at his former;s employers home (Harper) who was intoxicated. Harper fled the sence of the shooting See Complaint for father Explanation of the Slander and Libel.

DATE 4-23-2012

SIGNED PRO-SE [Signature]

NOTARIZED BY [Signature]

NOTARY PUBLIC

MY COMMISSION EXPIRES
MO. 8 DAY 11 YEAR 2013