THE SUPREME COURT OF OHIO

ANTHONY J. DE NOMA, ET AL.,
Plaintiff-Appellants, pro se

12-1073

vs.

JOSEPTH T. DETERS,
PATRICK X. DRESSING,
PAULA E. ADAMS,
SIMON L. LEIS HR.,
and
ATTORNEY GENERAL, ET AL.
Defendant-Appellees.

On Appeal from the Hamilton County
Court of Appeals, First Appellate District

Court of Appeals
Case No. C-110616

MEMORANDUM IN SUPPORT OF JURISDICTION
OF APPELLANT ANOTHONY J. DE NOMA

Anthony J. De Noma, inmate # 308-836
P.O. Box 59 Hocking Correctional Facility
16754 Snake Hollow Road
Nelsonville, Ohio 45764
Phone (740) 753-1917
FAX (740) 753-4137

ANTHONY J. DE NOMA, PRO SE PLAINTIFF-APPELLANT

Charles W. Anness
230 East Ninth Street, Suite 4000
Cincinnati, Ohio 45202-2151
Phone (513) 946-3273
FAX (513) 946-3018

COUNSEL FOR DEFENDANT-APPELLEES
JOSEPH T. DETERS,
PATRICK X. DRESSING,
SIMON L. LEIS JR., ET AL.

Mike DeWine
30 East Broad Street, 17th Floor
Columbus, Ohio 43215
COUNSEL FOR ATTORNEY GENERAL, ET AL.

FILED
JUN 21 2012
CLERK OF COURT
SUPREME COURT OF OHIO

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IN THE STATE OF OHIO :

SS : AFFIDAVIT STATEMENTS OF ANTHONY J. DE NOMA

COUNTY OF HOCKING :

I Anthony J. De Noma, Plaintiff-Appellant herein, hereafter referred to as DeNoma, first being duly cautioned of penalty of perjury, do hereby solemnly declare all the following statements and information in this Notice of Appeal Memorandum in Support of Jurisdiction, to be true, accurate, and factual. So Help me GOD !

EXPLANATION OF WHY THIS CASE IS A CASE OF PUBLIC OR GREAT GENERAL INTEREST AND INVOLVES A SUBSTANTIAL CONSTITUTIONAL QUESTION

This cause presents at least three critical issues concerning substantive Constitutional liberties and Civil rights of United States citizens residing in or visiting the State of Ohio, including but not limited to :

(1.) Whether state employees may act and collude in misfeasance, nonfeasance, and malfeasance to effectively deprive individuals and disfavored groups of constitutional liberties and civil rights;

(2.) Whether state employees may act with manifest disregard, abusing substantive process of law to entrap, maliciously prosecute, further disadvantage, and, or disenfranchise old law offenders for same past offenses.

(3.) Whether qualified immunity protects government employees whose conduct is plainly incompetent or violates the laws.

In this case, colluding in manifest disregard, contrary to **R.C. § 1.42**, **§ 309.05**, **§ 2941.12** and **§ 2935.10(A)**, the court of appeals abused discretion, failing to competently take judicial notice of DeNoma's claims in **Complaint No. A-1001030 / Appeal No. C-110616**. Acquiescing to and collaborating in Defendant-Appellees misfeasance, nonfeasance, and malfeasance misconduct, erroneously associating the same with "the judicial phase of the criminal process," effectively depriving DeNoma of his constitutional and civil rights.

The judgment of the court of appeals threatens the public confidence in the process of law and the judicial system itself.

By its judgment the court of appeals approved successive double jeopardy proceedings for reopening of final judgments to further disadvantage, disenfranchise and punish old law offenders a second time for their same past offenses.

With manifest disregard, the judgment of the court of appeals defied all reason, and abandoned precedence and jurisprudence, effectively granting Defendant-Appellees unrestricted authority to violate the laws with impunity, effectively subverting the Constitution and laws of the State of Ohio.

The implications of the judgment of the court of appeals affects and touches the lives of thousands of old law offenders and their families. The public's interest and confidence in the orderly operation of the justice system is profoundly affected by a holding that prosecutors are entitled to absolute immunity. Such a rule would sabotage the integrity of our constitution and system of government and undermine the fundamental principle that the rule of law constrains governments as well as citizens. The public interest is substantially affected if logical persons of common intelligence are denied the reasonable expectation of the letter and spirit of the laws duly adopted by the General Assembly, if the plain meaning of a statute can not be depended upon, but perverted and subverted to effectively interfere with the constitutional and civil rights of individuals and disfavored groups. No one will be safe, and millions of United States citizens residing in or visiting the State of Ohio will live in uncertainty, fear and confusion.

The 1995 Case Law of **State v. Anthony J. De Noma, No. B 9502232, Hamilton County Common Pleas** exempted DeNoma from public inspection of sex offender registration information, and from the duty to register as a sex offender since he was a first time offender, under former Ohio **Revised Code** Chapter 2950 prior to 1996, **§ 2950.01** and **§ 2950.08**, sustained by the 1997 House Bill 180 Megan's Law **§ 2950.09(C)(2)** **(FN1)** and subsequent 2003 Senate Bill 5 **§ 2950.09(C)(1)(3)** **(FN2)** effective immediately prior to January 1, 2008, and further sustained by the 2008 Senate Bill 10 Adam Walsh Act **§ 2950.01.1**. Furthermore, DeNoma's case law indefinite 10 to 25 year sentence maximum prison term fixed by the Court was an indefinite 10 years, diminished by a statutorily entitled earned one third deduction, to be administered by parole that shall not be forfeited for any reason, under former **Revised Code Sections 2901.04(A)**, **2929.01**, **2929.11(A)**, **2967.19(A)(D)(E)**, and **2967.193(A)(C)** effective prior to 1996, and sustained by **sections 1.01**, **1.15**, **1.22**, **1.42**, **1.47**, **1.58**, **2967.021**, and **5120.021**.**(FN3)**

This legislative intent of the 10 year maximum prison term was clarified by subsequent '***in pari materia***,' comparable 1996 Senate Bill 2 "Truth in Sentencing" Act which established the definite 10 year maximum prison term for a first degree felony, with potential for judicial release after five years under **R.C. § 2929.20**, together with the subsequent 'in pari materia' 2011 House Bill 86 **R.C. § 2967.19** and **§ 2967.193** requirement that only 80% of a sentence be served before release by the Department of Rehabilitation and Correction, see **Ohio Revised Code Sections 1.01**, **1.11**, **1.49**, **1.51**, **1.53**, and **1.54**.**(FN4)**

FN1 State v. Riley, (Ohio App. First Dist. 2001), 756 N.E.2d 676;
FN2 State v. Champion, 2005-Ohio-4098, 106 Ohio St.3d 120, 832 N.E.2d 718;
FN3 Mckee v.Cooper, 40 Ohio St.2d 65, 320 N.E.2d 286;
FN4 State v. Rush, 1998-Ohio-423, 83 Ohio St.3d 53, 55, 56, 697 N.E.2d 634, 636, Woods v. Telb, 89 Ohio St.3d at 507-508, 733 N.E.2d at 1106-1107;

Ohio's new sex offender registration scheme is concomitant with unrestricted public dissemination of sex offender registration information on the public computer, electronic Interstate, Sex Offender Registration Notification (S.O.R.N.) Internet website. Under Ohio's 1997 House Bill 180 Megan's Law only Sexual Predators were automatically subjected to community notification and the registration requirements applied only to persons sentenced on or after July 1, 1997.**(FN5)**

Public dissemination of sex offender registration information by ***900 phone number*** is punitive and irreparable harm.**(FN6)**

In State v. DeNoma, Case No. B 9502232, by two conjunctive ENTRIES of August 12, 1997 and October 5, 2001, the sentencing Court Judge Thomas H. Crush explicitly expressed his reasonable substantive expectation of DeNoma's imminent release from his term of imprisonment, and without a hearing determined that DeNoma is not a sexual predator.

Yet, in September 2001, without cause or reason, the Department of Rehabilitation and Correction (D.R.C.) imposed unlawful forfeiture of DeNoma's Case Law indefinite 10 year prison term and his statutory entitlement to earn a substatnive deduction from his sentence, subjecting DeNoma to day for day of the maximum 25 year sentence. Then January 2, 2008, egregiously contrary to **R.C. § 2950.01.1**, the D.R.C. together with the Ohio Attorney General reclassified DeNoma, subjugating DeNoma to new burdens, duties, obligations, disabilities, and liabilities of life time reporting under the new sex offender registration law.

Consequently, 13 years after DeNoma's sentence of final judgment, Defendant-Appellees instituted successive double jeopardy proceedings of a Sexual Predator hearing against DeNoma, in a new Court under Judge Ralph E. Winkler Jr. ***Case No. SP 0800368***, with the expressed intent and purpose to subject DeNoma to life time community notification by labeling him as a sexual predator under a repealed law, under the premiss that retired Judge Thomas H. Crush was unfaithful to the law and did things wrong. The court again found that DeNoma was not a sexual predator, yet, proceeded by two different ambiguous and contradictory ENTRIES to subject DeNoma to life time reporting as a registrant on the electronic Interstate public notification registry, reclassifying DeNoma under **R.C. § 2971.01** the new law Violent Sexual Predator Sentencing Specifications. Defendant-Appellees further, acted to deprive DeNoma of any direct appeal of right.

Subsequently, on February 3, 2010, DeNoma filed his civil action in **Case No. A-1001030** for damages from malicious prosecution and libel injuries.

FN5 State v. Cook, 1998-Ohio-291, 83 Ohio St.3d 404, 406, 408, 410, 700 N.E.2d 570, 574, 575, 577;
FN6 Doe v. Pataki, (1998), S.D.N.Y., 3 F.Supp2d 456, 466-468, 475,
Doe v. Pataki, 940 F.Supp. at 608-611,
Doe v. Pataki, (1996), 919 F.Supp. at 698, 700-702.

Stare decisis case law of final judgments and the Constitutional Separation of Powers Doctrine was upheld by the Ohio Supreme Court.**(FN7)** And liberty from retroactive burdens, duties, obligations, disabilities, and liabilities not existing at the time an offense occurred was upheld by the Ohio Supreme court.**(FN8)**

The judgment of the court of appeals effectively subjected DeNoma to cruel and unusual punishment, multiple, cumulative and increased retroactive punishments, and attainder, depriving DeNoma of his case law remedy, and equal protection and redress under substantive Due Process of The Laws, including but not limited to **Ohio Revised Code Sections 1.01**, **1.11**, **1.15**, **1.22**, **1.42**, **1.47**, **1.49**, **1.51**, **1.53**, **1.54**, **1.58**, **3.07**, **109.05**, **309.05**, **2305.07**, **2305.09**, **2305.11**, **2307.60(A)(1)**, **2315.18**, **2315.21**, **2901.04(A)**, **2901.13(C)(1)(a)(b)**, **2921.03(C)**, **2921.13(G)**, **2921.52(E)**, **2923.34**, **2935.09(D)**, **2935.10(A)**, **2941.11**, **2941.12**, **2941.13**, **2943.06**, **2943.09**, **2943.10**, **2950.011**, **2950.031(E)**, **2950.04(A)**, **2950.11**, **2950.12(B)**, **2967.021**, **5120.021**, and former **2950.09(C)(1)(3)** effective immediately prior to January 1, 2008.

"There is no crueler tyranny than that which is exercised under color of law, and with the colors of justice, Montesqieu, De l'Espirit des Lois (1748). Dissenting in Olmstead v. United States, 277 U.S. 438, 48 S.Ct. 564, 72 L.Ed. 944 (1928), Justice Brandeis stated: If the Government becomes a lawbreaker, it breads contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the ends justifies the means, to declare that the Government may commit crimes in order to secure the conviction of a private criminal would bring terrible retribution." Id. at 485, 48 S.Ct. at 575.**(FN9)**

"He who knows the truth, and bellows not the truth makes himself the accomplice of lies and forgers." Judge Billings Learned Hand, U.S. Federal Judge 1909-1961.

In **State v. Grimes, 2005-Ohio-203 at [¶ 36]**, the First District Court of Appeals noted that the Hamilton County Prosecuting Attorney responds with closed ears to repeated warnings from both the court of appeals and the Supreme Court, against their improper conduct.

This Honorable Court must send a message to the Hamilton County Prosecuting Attorney's that they are indeed liable criminally and civilly for their conduct in this case.

FN7 State v. Bodyke, 2010-Ohio-2424, 126 Ohio St. 266, 933 N.E.2d 753,
Gompf v. Wolfinger, (1902), 67 Ohio St. 144, 151, 152-153;
FN8 State v. Williams, 2011-Ohio-3374, 129 Ohio St.3d 344, 952 N.E.2d 1108,
Miller v. Hixson, 64 Ohio St. 39, 50-51, 59 N.E. 749, 752,
Vanfossen v. Babcock, (1988), 36 Ohio St.3d 100, 104-105, 522 N.E.2d 489, 494-495;
FN9 United States v. Jannoti, (1982), 673 F.2d 578, 614-615.

STATEMENT OF THE CASE AND FACTS

This case arises from the Ohio Attorney General and Department of Rehabilitation and Correction's malicious unlawful retroactive reclassification of DeNoma, egregiously contrary to **R.C. § 2950.01.1**. And subsequent libel and malicious prosecution double jeopardy action by Defendant-Appellees for same past offenses, egregiously contrary to the letter and spirit of law, specifically **Ohio Revised Code Sections 1.01**, **1.58**, **2941.11**, **2941.12**, **2941.13**, **2943.06**, **2943.09**, **2943.10**, **2950.01.1**, and former **2950.09(C)(1)(3)**.

1.) Prior to DeNoma's 1994 offenses, DeNoma worked and payed taxes beginning at age sixteen in 1974, enlisting in the active duty U.S. Army in 1976 at age 18, honorably discharged in 1992, as a veteran of 15 years of active duty service. DeNoma led a life as a productive law abiding citizen, responsible husband, family man, father of five children with his wife of fifteen years, until the summer of 1994 when he suffered a temporary emotional breakdown and offended against his own family members.

2.) Soon after DeNoma's offenses, overwhelmed with guilt and remorse, DeNoma filed the original complaint against himself, with the Hamilton County Sheriff's Department, acting as the chief witness against himself, and was arrested on February 10, 1995.

3.) DeNoma abandoned his own defense to spare his family members from the prosecutions threat to further victimize them by humiliating cross examination in a public trial, and on April 6, 1995, DeNoma entered a guilty plead to the charges against him, for an indefinite 10 to 25 year sentence with a maximum indefinite10 year prison term, with the statutory entitlement to earn a substantive one third deduction from that 10 year prison term, to be administered by parole, and shall not be forfeited for any reason.

4.) By his diligence in good faith reform, DeNoma earned a substantive one third deduction from his maximum 10 year prison term in September 2001, yet, without cause or reason was deprived of his minimum sentence term of imprisonment by the Department of Rehabilitation and Correction.

5.) January 2, 2008, together with the Ohio Attorney General, egregiously contrary to **R.C.§ 2950.011** the Department of Rehabilitation and Corrections (D.R.C.) reclassified DeNoma under new laws subjecting him to life time reporting every 90 days, with community notification. And further on February 15, 2008, the D.R.C. inappropriately subjected DeNoma to egregious material misrepresentations of Ex Post Facto **R.C. § 5120.49** egregiously contrary to **R.C. § 5120.021**.

6.) On February 19, 2008, DeNoma filed his Petition for Immediate relief from Community Notification claiming prior law registration exemption pursuant to **R.C. § 2950.01.1**.

7.) Against Res judicata, in contempt of Court Judge Thomas H. Crush's prior October 5, 2001 final judgment in **Case No. B 9502232**, finding that DeNoma is not a sexual predator, egregiously contrary to **Ohio Revised Code Sections 1.58**, **2941.11**, **2941.13**, **2943.06**, **2943.09**, **2943.10**, **2950.011**, **2950.031(E)**, **2950.04(A)** and former **2950.09(C)(1)(3)** effective immediately prior to January 1, 2008, Defendant-Appellees, Hamilton County Prosecuting Attorneys and Sheriff conspired and colluded to tamper with records, forging and falsifying DeNoma's personal registration information fraudulent reporting DeNoma's residence to be his elderly parents residence address of 7524 Bridgetown Road 45248, Hamilton County, to create the perception of jurisdiction and influencing Judge Ralph E. Winkler Jr., to institute successive old law Sexual Predator proceedings in ***Case No. SP 0800368*** against DeNoma and ordering the abduction of DeNoma against his will from his medium security residence of 13 years, at the Ross County Chillicothe Correction Institute, endangering DeNoma, conveying him to and unlawfully restraining him for 72 days in the Hamilton County Justice Center for said sham legal process double jeopardy proceedings.

8.) DeNoma's parents Richard J. DeNoma and Patricia A. DeNoma, who were present April 6, 1995 in Judge Thomas H. Crush's Court room for DeNoma's sentencing, were also present on August 7, and 28 in Judge Ralph E. Winkler Jr's. Court room both as witnesses in support of their son Anthony in said proceedings, but were prevented from testifying.

9.) DeNoma was denied the transfer of his classification hearing to proper venue and forum of Ross County were he resided.

10.) Ironically, despite the fact that DeNoma again was found not to be a sexual predator, by two different and ambiguous October 28, 2008 ENTRIES in ***Case No. SP 0800368***, Judge Ralph E. Winkler effectively reclassified DeNoma under the Violent Sexual Predator Sentencing Specifications of Ex Post Facto **R.C. § 2971.01** colluding with the Department of Rehabilitation and Correction inappropriate use of an **R.C. § 5120.49** Clinical Risk Assessment to continue the imprisonment of DeNoma. Subjecting DeNoma to life time in person reporting on the Interstate electronic Internet public Sex Offender Registration Notification registry.

11.) Defendant-Appellees, further inappropriately influenced the court of appeals to Dismiss DeNoma's Appeal **No. C-081178**, on January 29, 2009, effectively depriving DeNoma of his **R.C. § 2950.031(E)** civil and Constitutional right of direct de novo appellate review.

12.) DeNoma was further denied a hearing in **Ross County Common Pleas No. 08 CI831** / **App. No. 09 CA3089**, and in **Ohio Supreme Court No's. 2009-0475** and **GEN-2010-0093**, and Petition for Writ of Certiorari in the **United States Supreme Court No. 09-7468**.

13.) Defendant-Appellants malicious prosecution and libel actions caused DeNoma the loss of support of previously supportive family members, and loss of his substantive cumulated rehabilitation, turning everyone everywhere against him.

14.) February 3, 2010, DeNoma filed his civil action seeking compensatory punitive and exemplary damages for malicious prosecution and libel irreparable harm injuries in Hamilton County Common Pleas **No. A-1001030**, which by unlawful ex parte collusion was dismissed by Judge Norbert A. Nadel's September 6, 2011 ENTRY tendered by Defendant-Appellees, continuing to retroactively subjugate DeNoma to burdens, duties, obligations, disabilities, and liabilities not existing at the time his offenses occurred, egregiously contrary to the Supreme Courts ruling in **State v. Bodyke, 2010-Ohio-2424**, and **State v. Williams, 2011-Ohio-3374**.

15.) In DeNoma's **Appeal No. C-110616**, the court of appeals severely prejudiced DeNoma by depriving him of an itemized statement of all papers transferred and certified as the record on appeal, so he could ascertain whether the record was complete and manifest the assignments of error, and further disadvantaged DeNoma by assigning his case to their accelerated calendar depriving DeNoma of the opportunity to traverse response to Appellees Brief. Then just before the scheduled hearing, 4 of the 6 appellate judges recused themselves from hearing DeNoma's case, requiring the Supreme Court's assignment of an appellate judge from the 12th Appellate District to sit in their place.

Proposition of Law No. I:

Sections 1, 2, 16, and 19 Article I. of the Ohio Constitution, together with the Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments of the United States Constitution ensure prisoners equal protection of certain inalienable rights that may not be forfeited without just compensation.

Reasonable expectation of the letter and spirit of the law creates an entitled property right and protected liberty and business interest.**(FN10)** Constitutional and civil rights are inalienable property rights, protected liberty and business interests.**(FN11)** DeNoma's stare decisis Case Law of final judgment in **Case No. B 9502232**, is property in its highest form and held inviolate under **Article I., Section 19, of the Ohio Constitution**.**(FN12)**

FN10 Ivey v. Wilson, (1997), C.A. 6, Ky., 832 F.2d 950,
Bills v. Henderson, (1980), 6th Cir., 631 F.2d 1287, 1291,
Montanye v. Haymes, (1976), 427 U.S. 236, 242, 96 S.Ct. 2543, 2547,
Wolf v. McDonnell, 418 U.S. 539, 557, 558, 561, 594, 94 S.Ct. 2963, 2975, 2976, 2977, 2993;

FN11 State v. ex rel. Bruestle v. Rich, (1953), 159 Ohio St. 13, 24, 110 N.E.2d 778,
Arnold v. Cleveland, (1993), 67 Ohio St.3d 35, 616 N.E.2d 163,
State v. Williams, 2000-Ohio-428, 88 Ohio St.3d 513, 524, 728 N.E.2d 342, 354;

FN12 Gompf v. Wolfinger, (1902), 67 Ohio St. 144, 151, 152-153,
State v. Bodyke, 2010-Ohio-2424, 126 Ohio St.3d 266, 933 N.E.2d 753;

Since 2008, DeNoma has been diligently accessing the courts for redress, in defense of his statutorily entitled property, business and liberty interests, from corrupt activity fraud theft by Defendant-Appellees, without result. The Supreme Court has ruled favorably toward DeNoma's cause in both **Bodyke, 2010-Ohio-2424**, and **Williams, 2011-Ohio-3374**, since February 3, 2010 when DeNoma filed his civil action seeking compensatory, punitive, and exemplary damages, yet, in bad faith and wanton contempt of court Defendant-Appellees continued their misconduct, in unlawful ex parte to tender the September 6, 2011 ENTRY in ***Case No. A-1001030***, continuing to subject DeNoma to increased punishments by retroactive burdens, duties, obligations, disabilities, and liabilities that did not exist at the time DeNoma's offenses occurred, defrauding and depriving DeNoma of his Civil Right of stare decisis final judgment case law.

"The constitution emanated from the people and that the welfare of the people is paramount to any private interest. Very true, but written constitutions have heretofore been framed chiefly to protect the weak from the strong and to secure to all the people 'equal protection and benefit.' they have been construed upon the theory that majorities can and will take care of themselves; but that safety and happiness of individuals and minorities need to be secured by guaranties and limitations in the social compact, called a constitution. Hence, while it is declared in **Article I. Section 19**, of our Constitution, that private property shall be held 'subservient to the public welfare,' it is also declared that it shall ever be held inviolate and shall not be taken for the public use without compensation, in most cases compensation first to be made in money." **Sogg v. Zurz, 2009-Ohio-1526, 121 Ohio St.3d 449, 452, 453, 905 N.E.2d 187, 191, 192 at [9-13]**.

"There are no comparable statutory fines in this case to compare how the state deals with similar malfeasance . . . (*Defendant-Appellees*) had fair notice of the conduct that would subject it to punishment as well as the severity of the possible punishment," **Wightman v. Consolidated Rail Corp., (1999), 86 Ohio St.3d 431, 442, 715 N.E.2d 546, 555**. "A large disparity is allowable because a punitive damages award is more about defendants behavior than the plaintiff's loss. The purpose of punitive damages is not to compensate a plaintiff but to punish and deter certain conduct." **Id. at 439, 715 N.E.2d at 553**.

Proposition of Law No. II:

The liberties provided by the United States and Ohio Constitution's Separation of Powers Doctrine, Double Jeopardy Clause, and Prohibition against retroactive Ex Post Facto Laws, protect individuals and disfavored groups against arbitrary and discriminatory vindictive subjugation to attainder, and cruel and unusual punishments in excess of the legislative intent prescribed and manifest by the laws in effect at the time an offense occurred.

The case law in **State v. Anthony J. De Noma, (1995), Case No. B 9502232, Hamilton County Common Pleas**, exempted DeNoma from public inspection of registration information, and sex offender registration as a first time offender under former **Ohio Revised Code** Chapter 2950 prior to 1996, **§ 2950.01**, **§ 2950.08**, and **§ 2950.99**.**(FN13)** This case law remedy was subsequently sustained by the ***'in pari materia'*** 2008 Senate Bill 10 Adam Walsh Act **R.C. § 2950.01.1**, and (*former*) **§ 2950.09(C)(1)(3)**,**(FN14)** effective immediately prior to January 1, 2008. DeNoma's case law sentence was an indefinite 10 to 25 years, with an maximum indefinite 10 year prison term fixed by the Court, diminishable by statutory entitlement to earn a substantive one third deduction, to be administered by parole that shall not be forfeited for any reason, under former **Revised Code Sections 2901.04(A)**, **2929.01**, **2929.11(A)**, **2967.19(A)(D)(E)** and **2967.193(A)(C)** effective prior to 1996, **(FN15)** and sustained by **Sections 1.01**, **1.58**, **2967.021**, and **5120.021**, and clarification the comparable 1996 Senate Bill 2 "Truth in Sentencing" ***'in pari materia'*** maximum 10 year prison term for a first degree felony, with provision of potential judicial release after 5 years under **R.C. § 2929.20**, together with the 2011 House Bill 86 **R.C. § 2967.19** and **§ 2967.193** requirement that only 80% of that prison term be served, and pursuant to **R.C. Sections 1.11**, **1.49**, **1.51**, **1.53**, **1.54**.**(FN16)**

Common Law doctrines of Finality of Judgment stare decisis case law **(FN17)** Res judicata and Collateral estoppel **(FN18)** are supported by the Constitutional Separation of Powers Doctrine **(FN19)** Double Jeopardy Clause **(FN20)** and Prohibitions against Ex Post Facto, Retroactive Laws **(FN21)** Attainder, **(FN22)** and Cruel and unusual punishment.**(FN23)**

FN13 State v. Cook, 83 Ohio St.3d 404, 406, 408, 410, 700 N.E.2d 570, 574, 575, 577,
State v. Riley, (Ohio App. First District 2001), 756 N.E.2d 676;
FN14 State v. Champion, 2005-Ohio-4098, 106 Ohio St.3d 120, 832 N.E.2d 718;
FN15 Mckee v. Cooper, 40 Ohio St.2d 65, 320 N.E.2d 286;
FN16 State v. Rush, 1998-Ohio-423, 83 Ohio St.3d 53, 55, 56, 697 N.E.2d 634, 636, [1],
Woods v. Telb, 89 Ohio St.3d at 507-508, 733 N.E.2d at 1106-1107;
FN17 Gompf v. Wolfinger, (1902), 67 Ohio St. 144, 151, 152-153,
FN18 State v. Dick, 137 Ohio App. 3D 260, 738 N.E.2d 456,
Garva v. Parkman, 73 Ohio St.3d 379, 653 N.E.2d 226,
Labarbera v. Batsh 10 Ohio St.2d 106, 227 N.E.2d 55, 59,
Ashe v. Swenson, (1970), 397 U.S. 436, 443, 90 S.Ct. 1189, 1194 at [4-3],
FN19 State v. Bodyke, 2010-Ohio-2424, 126 Ohio St.3d 266, 933 N.E.2d 753;
FN20 State v. Gustafson, (1996), 668 N.E.2d 435, 76 Ohio St.3d 425,
State v. Rance, (1999), 85 Ohio St.3d 632, 634, 710 N.E.2d 699, 702,
FN21 Weaver v. Graham, (1981), 450 U.S. 24, 101 S.Ct. 960,
Lynce v. Mathis, (1997), 519 U.S. 433, 117 S.Ct. 891,
Smith v. Scott, (2000), 223 F.3d 1191,
Dyer v. Bowlen, (2006), 465 F.3d 280,
City of Cincinnati v. Seasongood, (1889), 46 Ohio St. 296, 303, 21 N.E. 630, 633,
Miller v. Hixson, 64 Ohio St. 39, 50-51, 59 N.E. 749, 752,
Van Fossen v. Babcock, (1988), 36 Ohio St.3d 100, 104-105, 522 N.E.2d 489, 494-495,
State v. Williams, 2011-Ohio-3374, 129 Ohio St.3d 344, 952 N.E.2d 1108;
FN22 United States v. Brown, (1965), 381 U.S. 437, 85 S.Ct. 1707;
FN23 State v. Foster, 2006-Ohio-856, 109 Ohio St.3d 1, 28, 29, 845 N.E.2d 470, 497, 498,
Oregon v. Ice, (2009), 129 S.Ct. 711 at 720,
Grahm v. Florida, (2010), 130 S.Ct. 2011, 176 L.Ed.2d 825 at [1, 7, 11, 12],
Brown v. Plata, 131 S. Ct. 1910, 179 L.Ed.2d 969;

Proposition of Law No. III.

No government employee enjoys absolute immunity from criminal or civil liability, but every government official is under the sworn trust to defend the Constitutional liberties, and to faithfully and competently uphold the substantive process of the laws of both the United States and the State of Ohio.

Ohio Revised Code Section 2950.011, sustains prior law exemption from sex offender registration and **§ 2950.04(A)** explicitly mandates that each individual sex offender subject to registration must report in person to accurately register his own personal information. Ohio Law explicitly forbids use of sham legal process, tampering with records, forgery and falsification, **Revised Code Sections 2913.31**, **2913.42**, **2921.13**, and **2921.52**. Furthermore, **R.C. § 2950.12** states:

> **(B)** The immunity described in division (A) of this section does not apply to a person . . . if any of the following applies:
> (1) The act or omission was manifestly outside the scope of the persons employment or officials responsibilities;
> (2) The act of omission was with malicious purpose, in bad faith, or in wanton or reckless manner;
> (3) Liability for the act or omission is expressly imposed by a section of the Revised Code.

R.C. § 2901.24 states:
(A) An officer, agent, or employee of an organization . . . may be prosecuted for an offense committed by such organization, if he acts with the kind of culpability required for the commission of the offense, and any of the following apply: (1) In the name of the organization or in its behalf, he engages in conduct constituting the offense, or causes another to engage in such conduct, or tolerates such conduct when it is of a type for which he has direct responsibility.

R.C. § 2901.13 establishes the time limitation for criminal prosecution:
(C)(1)(a) For an offense involving misconduct in office by a public servant, at any time while the accused remains a public servant, or within two years thereafter;

R.C. § 2923.31 states:
(I) " Corrupt activity" means engaging in, attempting to engage in, conspiring to engage in, or soliciting, coercing, or intimidating another person to engage in any of the following:
(1) Conduct defined as racketeering activity under the Organized Crime Contrao Act of 1970. 84 Stat. 941, **18 U.S.C. 1961(1)**(B), (1)(C), (1)(D), and (1)(E) as amended;
(2) Conduct constituting any of the following:
(a) A violation of **section 2905.02**, **2913.05**, **2921.03**, (*or*) **2921.04**;
(b) Any violation of **section 2913.02**, **2913.31**, **2913.42**;
(E) "Pattern of corrupt activity" means two or more incidents of corrupt activity, whether or not there has been a prior conviction, that are related to the affairs of the same enterprise"

R.C. § 2935.09 states: **(D)** "A private citizen having knowledge of the facts who seeks to cause an arrest or prosecution under this section may file an affidavit charging the offense committed with a reviewing official for the purpose of review"
§ 2935.10, states: (A) "Upon the filing of an affidavit or complaint as provided by section 2935.09 of the Revised Code, if it charges the commission of a felony, such judge, clerk, or

magistrate, unless he has reason to believe that it was not filed in good faith, or the claim is not meritorious, **shall forthwith issue a warrant for the arrest of the person** charged in the affidavit . . ."

From 1995 until 2011, DeNoma had resided as a prisoner in the Ross County medium security Chillicothe Correction Institute and has never yet been released from his term of imprisonment, nor has DeNoma ever reported to any county sheriff to register his personal information as a sex offender. Wherefore Hamilton County lacked both personal and subject matter jurisdiction over DeNoma's legal status and sex offender classification. Yet, despite these facts, in Hamilton County, DeNoma's personal information was forged and falsified without his knowledge, using the Hamilton County 7524 Bridgetown Road 45248 residence of DeNoma's elderly parents, egregiously posting and disseminating the same on the Interstate Internet public notification registry.

Defendant-Appellees conduct to cause libel and malicious prosecution against DeNoma and his elderly parents and family members in **Case No. B 9502232** / ***SP 0800368***, constitute deliberate conspiracy and complicity in corrupt activity tampering with records, forgery, falsification, intimidation, abduction, and unlawful restraint, to defraud DeNoma of his case law remedy property, rehabilitation, liberty interests, employment opportunities and business interests, constituting multiple felony and misdemeanor corrupt activity offenses including but not limited to violations of **Ohio Revised Code Sections 2905.02**, **2913.02**, **2913.05**, **2913.31**, **2913.42**, **2921.03**, **2921.04**, **2921.31**, **2921.45**, **2921.52**, **2923.01**, **2923.03**, **2923.31**, **2923.32** and **18 U.S.C. 1961**.

Revised Code Sections 309.05, **2941.12, 2935.09(D)**, and **2935.10(A)** require judicial notice of DeNoma's claims in his **Complaint No. A-1001030**. **Sections 2305.11(A)**, **2307.60(A)(1)**, **2921.03**, **2921.13(G)**, **2921.52(E)**, **2923.34**, **2950.12(B)**, and **2315.21(C)(1)** explicitly establish civil liability, and for punitive and exemplary damages against Defendant-Appellees for their egregious misconduct in office.

"Qualified immunity protects a government officials from damage liability unless his performance of a discretionary function violated clearly established statutory or constitutional rights. . . Qualified immunity protects all but the plainly incompetent or those who willing violate the law." **Jackson v. Everett, (1998), C.A. 8,(Ark.), 140 F.3d 1149** citing and following **Harlow v. Fitzgerald, (1982), 457 U.S. 800, 818, 102 S.Ct. 2727, 2738**, **Malley v. Briggs, (1986), 475 U.S. 335, 341, 106 S.Ct. 1092, 1096**, and **Hunter v. Bryant, (1991), 502 U.S. 224, 227-29, 112 S.Ct. 534, 536-37**.

"The only requirement for RICO standing is that one be a "person injured in his business or property by reason of a violation of section 1962." **18 U.S.C. § 1964(C)**. And the Supreme Court has already told us that "by reason of" incorporates a proximate cause standard, see Holmes v. Sec.

Investor Prot. Corp., 503 U.S. 258, 265-68, 112 S.Ct. 1311, 117 L.Ed.2d 532 (1992), which is generous enough to include the unintended, though foreseeable, consequences of RICO predicate acts. * * * In Sedima, S.P.R.L. v. Imrex Co. 437 U.S. 479, 105 S.Ct. 3275, 87 L.Ed.2d 346 (1985), . . . "Racketeering activity" is a broad concept, which "consists of no more and no less than commission of a predicate act." Id. At 495, 105 S.Ct. 3275 . . . If the defendant engages in a pattern of racketeering activity in a manner forbidden by these provisions, and the racketeering activities injure the plaintiff in his business or property, the plaintiff has a claim under **§ 1964(C)**. There is no room in the statutory language for an additional, amorphous "racketeering injury" requirement. Id. at 495, 105 S.Ct. 3275. **Diaz v. Gates, (2005), 420 F.3d 897, 901, C.A. 9, (Cal.)**.

> **R.C. § 2923.34** Corrupt Activity Proceedings, states:
> (A) "Any person who is injured or threatened with injury by a violation of section 2923.32 of the Revised Code may institute a civil proceeding in an appropriate court seeking relief from any person whose conduct violated or allegedly violated section 2923.32 of the Revised Code or who conspired or allegedly conspired to violate that section"

CONCLUSION

1.) Since DeNoma was defrauded of his appeal of right, DeNoma is entitled to a Writ of Certiorari, from the beginning in **Case No. B 9502232**, through subsequent ***Case No. SP 0800368***, and consequential Civil action in Case No. A-1001030, for an entitled ***'de novo'*** appellate review.

2.) DeNoma is entitled to full benefit of substantive process of laws under **Ohio Revised Code Sections 1.01, 1.22, 1.42, 1.58, 309.05, 2307.60(A)(1), 2315.18, 2315.21(C)(1), 2305.11(A), 2901.13(C)(1), 2921.03, 2921.13(G), 2921.52(E), 2923.34, 2935.09(D), 2935.10(A), 2941.11, 2941.12, 2941.13, 2950.011, 2950.031(E), 2950.12(B)**.

3.) DeNoma is entitled to full restoration of **Case No. B 9502232**, Case Law remedy of first time offender exemption from sex offender registration, prohibition of public inspection of registration information, maximum indefinite 10 year prison term fixed by the sentencing Court, and statutory entitlement to earn a substantial one third deduction from that prison term that shall not be forfeited for any reason.

4.) Since DeNoma has exhausted the Grievance process pursuant to **R.C. § 2969.26**, he is entitled to amend his complaint to include defendants from within the Department of Rehabilitation and Correction.

5.) DeNoma is entitled to the immediate, complete, and final termination of his sentence, since the former sentencing scheme requirement was for two thirds of the minimum or definite sentence to be served, and DeNoma has now served beyond two thirds of the maximum sentence.

6.) DeNoma is entitled to full compensation for lost business employment opportunities, from false

imprisonment, since his first statutory first eligibility date of September 2001.

7.) DeNoma is entitled to punitive and exemplary damages for endangering fraudulent material misrepresentation, malicious prosecution libel injuries against his family name, reputation, property, liberty, rehabilitation, business employment interests.

AFFIANT FURTHER SAYETH NAUGHT

CERTIFICATE OF VERIFICATION

I Anthony J. DeNoma, do hereby verify that all statements, information and attached exhibits in appendix of this Notice of, are true, accurate and officially documented facts. **So Help me GOD !**

Anthony J. DeNoma

Anthony J. De Noma, #308-836, Plaintiff-Appellant, pro se
P.O. Box 59, 16759 Snake Hollow Road, H.C.F.
Nelsonville, Ohio 45764, Phone (740) 753-1917, FAX 753-4277

Taken, sworn and subscribed before me, a Notary Public for the State of Ohio, County of Hocking, on this 18 day of June, 2012.

My commission expires July 25, 2015

Corrina Dicken
Notary Public

CERTIFICATE OF SERVICE

I certify that a true copy of this Notice of Appeal and Memorandum in Support of Jurisdiction in the Supreme Court of Ohio, has been deposited in the inside mail room of the Hocking Correctional Facility this 18 day of June, 2012, in a sealed envelope with the required prepaid United States First Class Postage, and addressed to counsel for Defendant-Appellees as listed below:

Charles W. Anness, 230 East Ninth Street, 4000, Cincinnati, Ohio 45202-2174;
and
Ohio Attorney General Mike DeWine at 30 East Broad Street, 17th Floor, Columbus, Ohio 43215.

Anthony J. DeNoma

Anthony J. De Noma, #308-836, Plaintiff-Appellant, pro se
P.O. Box 59, 16759 Snake Hollow Road
Nelsonville, Ohio 45764, Phone (740) 753-1917, FAX 753-4277

IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO

ANTHONY J. DE NOMA,	:	APPEAL NO. C-110616 TRIAL NO. A-1001030
Plaintiff-Appellant,	:	
vs.	:	*JUDGMENT ENTRY.*
JOSEPH T. DETERS,	:	
PATRICK X. DRESSING,	:	
PAULA E. ADAMS,		
and		
SIMON LEIS, JR.,		
Defendants-Appellees.	:	

ENTERED
MAY 16 2012

D97637308

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 3(A); App.R. 11.1(E); Loc.R. 11.1.1.

Plaintiff-appellant Anthony J. De Noma appeals the judgment of the trial court granting a motion to dismiss De Noma's complaint filed by defendants-appellees Joseph T. Deters, Patrick X. Dressing, Paula E. Adams, and Simon Leis, Jr., (collectively "Defendants"). De Noma raises one assignment of error, arguing that the trial court abused its discretion in granting the motion to dismiss.

De Noma's complaint alleges a multitude of tort and constitutional claims under state and federal law against Defendants arising out of De Noma's 1995 criminal conviction and subsequent sex-offender classification. R.C. 2744.03(A)(6) provides

that political-subdivision employees are generally immune from liability unless their acts or omissions "were manifestly outside the scope of the employee's employment or official responsibilities[]" or "were with malicious purpose, in bad faith, or in a wanton or reckless manner[.]" Moreover, prosecutors are entitled to an absolute immunity for conduct associated with the judicial phase of the criminal process. *Imbler v. Pachtman*, 424 U.S. 409, 430, 96 S.Ct. 984, 47 L.Ed.2d 128 (1976); R.C. 2744.03(A)(7).

Under Civ.R. 12(B)(6), it is beyond doubt that De Noma can prove no set of facts entitling him to relief. *See O'Brien v. Univ. Community Tenants Union, Inc.*, 42 Ohio St.2d 242, 327 N.E.2d 753 (1975), syllabus; *see also Parsons v. Greater Cleveland Regional Transit Auth.*, 8th Dist. No. 93523, 2010-Ohio-266, ¶ 11, citing *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 127 S.Ct. 1955, 167 L.Ed.2d 929 (2007) ("While a complaint attacked by a * * * motion to dismiss does not need detailed factual allegations, the [plaintiff's] obligation to provide the grounds for [his] entitlement to relief requires more than labels and conclusions[.]").

Therefore, we overrule De Noma's assignment of error. The judgment of the trial court is affirmed.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

SUNDERMANN, P.J., FISCHER and **POWELL, JJ.**

JUDGE STEPHEN W. POWELL, of the Twelfth Appellate District, sitting by assignment.

To the clerk:

Enter upon the journal of the court on May 16, 2012

per order of the court _____.
Presiding Judge

ENTERED
MAY 16 2012

2.

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

ANTHONY J. DENOMA, ET AL.	:	Case No. A1001030
Plaintiff	:	Judge Nadel
vs.	:	
HAMILTON COUNTY PROSECUTING ATTORNEY JOSEPH T. DETERS, ET AL.	:	**ENTRY**
Defendants	:	

COPY OF ENTRY FILED
SEP 06 2011

This matter came before the Court on Defendants' Motion to Dismiss. The Court being fully apprised on the matter hereby grants Defendants' Motion for the reasons set forth therein. This matter is hereby DISMISSED.

At the Court's request, for the benefit of Plaintiff, Plaintiff's reporting requirements will be explained. The October 5, 2001 Entry of Judge Crush in case #B952232, found Plaintiff not to be a sexual predator. Under *State v. Hayden*, 773 N.E.2d 502 (Ohio 2002), as Plaintiff was convicted of a sexually oriented offense, Plaintiff is a sexually oriented offender as a matter of law.

Plaintiff will not be subject to the community notification provisions under R.C. 2950.11. Plaintiff will be subject to the registration requirements as set out in R.C. 2950.04, R.C. 2950.05, R.C. 2950.06, and R.C. 2950.07 as applicable to Sexually Oriented Offenders and as interpreted by Ohio Supreme Court's decisions in *State v. Bodyke*, 933 N.E.2d 753 (Ohio 2010) and *State v. Williams*, --- N.E. 2d ----, 2011-Ohio-3374 (Ohio, 2011). The Court's understanding is that Plaintiff will be subject to annual registration requirements for ten years post release.

Judge Nadel

Charles W. Anness, 0082194
Assistant Prosecuting Attorney
Attorney for Defendants

HAMILTON COUNTY COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

(2)

State of Ohio	:	CASE NO.: SP0800368
Respondent	:	
-vs-	:	JUDGE: Ralph E. Winkler
Anthony J. DeNoma	:	
Petitoner	:	**ENTRY ADJUDICATING OFFENDER AS A SEXUALLY ORIENTED OFFENDER**

This matter came before the Court for a review of a previous sexual predator determination by Judge Crush on October 5, 2001 by Entry only. The Court ordered a Clinic evaluation and then in consideration of all relevant factors set forth in R.C. 2950.09 (B)(2) and R.C. 2971.01, it is hereby determined, by clear and convincing evidence, that the above-named offender is a Sexually Oriented Offender.

Attorney for Defendant
#13836

JUDGE

10-28-08
DATE

4.

STATE OF OHIO
OFFICE OF THE ATTORNEY GENERAL
MARC DANN, ATTORNEY GENERAL

DENOMA, ANTHONY J.
A308836
CCI

Recieved from Chillicothe Correctional Unit Management Administrator Mark Hooks January 2ND, 2008

ANTHONY J. DENOMA

NOTICE OF NEW CLASSIFICATION AND REGISTRATION DUTIES
TIER III SEX OFFENDER (ADULT)

This letter is to notify you of changes to Ohio's Sex Offender Registration and Notification Act (Ohio Revised Code Chapter 2950, "SORN"). Your classification and registration duties have changed due to Ohio Senate Bill 10, passed to implement the federal Adam Walsh Child Protection and Safety Act of 2006.

Classification:

Beginning January 1, 2008, your new classification is Tier III Sex Offender. You will be required to register personally with the local sheriff's office every ninety (90) days for Life.

Duties:

Upon release, you are required to register, in person, with the sheriff of the county in which you establish residency within **3 days** of coming into that county or if temporarily domiciled for more than **3 days**. You are also required to register, in person, with the sheriff of the county in which you establish a place of education immediately upon coming into that county. If you establish a place of education in another state but maintain a residence or temporary domicile here, you are also required to register, in person, with the sheriff or other appropriate official in that other state immediately upon coming into that state. You are also required to register, in person, with the sheriff of the county in which you establish a place of employment if you have been employed for more than **3 days** or for an aggregate of **14 days** in a calendar year. If you establish a place of employment in another state but maintain a residence or temporary domicile here, you are also required to register, in person, with the sheriff or other appropriate official in that other state if you have been employed for more than **3 days** or for an aggregate of **14 days** in a calendar year.

After the date of initial registration, you are required to periodically verify your residence address, place of employment and/or place of education, in person, at the county sheriff's office no earlier than **10 days** prior to your verification date.

If you change residence address, place of employment and/or place of education, you shall provide written notice of that change to the sheriff with whom you most recently registered, and to the sheriff in the county in which you intend to reside, or establish a place of employment and/or place of education at least **20 days** prior to any change and no later than **3 days** after change of employment.

You shall provide written notice, within **3 days**, of any change in vehicle information, email addresses, internet identifiers or telephone numbers registered to or used by you, to the sheriff with whom you have most recently registered.

Duty to Register scheduled to terminate between July 1, 2007 and January 1, 2008

If your duty to comply with the registration requirements was scheduled to terminate on or after July 1, 2007, and prior to January 1, 2008, under the version of Ohio Revised Code § 2950.07 that is in effect prior to January 1, 2008, notwithstanding that scheduled termination of those duties, your duties under those sections did not terminate as scheduled pursuant to Ohio Revised Code §2950.033, effective July 1, 2007. You are required to comply with the new registration requirements unless otherwise modified by Court order.

Community Notification

As a Tier III Sex Offender, you are subject to the community notification requirements under Ohio Revised Code § 2950.11. If you were previously not subject to community notification prior to January 1, 2008, pursuant to Ohio Revised Code § 2950.11 (F)(2), the Court may make a determination that removes this requirement.

Right to Contest application of new classification and registration requirements

Under Ohio Revised Code §2950.032(E), you have the right to challenge the new classification and registration requirements. You have sixty (60) days after receipt of this letter to file a petition in the Court of Common Pleas in the county where you reside in Ohio, or if you reside outside the state, the county in which you work or attend school. You must also send a copy of the petition to the county prosecutor in that county. If you fail to file your petition within the sixty (60) day period, you have waived your right to contest the application of the new classification and registration requirements. You are required to comply with the new registration requirements unless otherwise modified by Court order.

Sincerely,

Steven Raubenolt
Deputy Superintendent of BCI&I

Ohio Bureau of Criminal Identification and Investigation
P.O. Box 365
London, OH 43140
Telephone: (740) 845-2000
Facsimile: (740) 845-2020

An Internationally Certified Law Enforcement Agency
An ASCLD/LAB Accredited Laboratory (since 2002)
www.ag.state.oh.us

5.

ENTERED
OCT 5 - 2001
IMAGE 63

THE STATE OF OHIO, HAMILTON COUNTY

COURT OF COMMON PLEAS

STATE OF OHIO

Plaintiff

vs.

Anthony S. DeNoma
Inmate # B952232
Defendant

CASE # B952232
JUDGE CRUSH

ENTRY FINDING AGAINST ADJUDICATION AS A SEXUAL PREDATOR

This matter came before this court for a Sexual Predator determination to be made pursuant to Section 2950.09. Without a hearing, it is hereby determined that the above named offender is not a sexual predator.

JUDGE, COURT OF COMMON PLEAS

A TRUE COPY OF THE ORIGINAL
ENTERED _____ IMAGE _____
ATTEST JAMES CISSELL
CLERK
BY _____
DEPUTY
DATE _____

Exhibit B

ENTERED
AUG 12 1997
IMAGE 12

COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

STATE OF OHIO	:	CASE NO. B- 952232
Plaintiff	:	(Judge CRUSH)
vs.	:	
ANTHONY DENOMA	:	ENTRY DEFERRING THE SCHEDULING OF SEXUAL PREDATOR HEARING
Defendant	:	
A-308-836 (Inmate Number)	:	

This matter is before the court on the receipt of the Ohio Department of Corrections' Sexual Predator Screening Form sent pursuant to R.C. §2950.09(C), regarding the status of the above-named offender;

And the court, finding that this matter is not ripe for scheduling a sexual predator hearing pursuant to R.C. §2950.09(B), it being earlier than six months prior to this offender's release date;

It is hereby ordered that the Ohio Department of Corrections' Sexual Predator finding regarding this offender be forwarded to this court six months prior to this offender's scheduled release date. Upon receipt of such finding, this court will then schedule the matter for a hearing pursuant to R.C. §2950.09(B).

Judge CRUSH

Date: 8-7-97

7.

Exhibit A

date: 04/06/95
code: GJEI
judge: 027
form: B

* * * * * * * * * * *
* E N T E R E D *
* DATE : 4-6-95 *
* IMAGE: 498 *
* * * * * * * * * * *

THE STATE OF OHIO, HAMILTON COUNTY

COURT OF COMMON PLEAS

Judge: THOMAS H. CRUSH

NO. B 952232

THE STATE OF OHIO
VS.

ANTHONY J DENOMA

JUDGMENT ENTRY : SENTENCE:

INCARCERATION

Defendant was present in open Court with Counsel GEORGE M PARKER on the 6th day of April 1995 for sentence.
The court informed the defendant that, as the defendant well knew, the defendant had pleaded guilty and had been found guilty of the offense(s)
RAPE, 2907.02 R.C. (AGG F-1) IN COUNT #1;
FELONIOUS SEXUAL PENETRATION, 2907.12 R.C. (AGG F-1) IN COUNT #2;
(ALLEGATIONS OF FORCE REMOVED FROM COUNTS #1 AND #2);
(DEFENDANT FOUND COMPETENT).

The Court afforded defendant's counsel an opportunity to speak on behalf of the defendant. The Court addressed the defendant personally and asked if the defendant wished to make a statement in the defendant's behalf, or present any information in mitigation of punishment.

Defendant is sentenced to be imprisoned in Department of Corrections for a period of TEN (10) YEARS TO A MAXIMUM OF TWENTY-FIVE (25) YEARS IN EACH OF COUNTS #1 AND #2 TO RUN CONCURRENTLY TO EACH OTHER AND CONCURRENTLY TO SENTENCE IN CASE NUMBER B951322 WITH CREDIT OF FIFTY-SIX (56) DAYS GIVEN FOR TIME SERVED. DEFENDANT REMANDED. DEFENDANT TO PAY COURT COSTS.

Defendant was notified of the right to appeal as required by Crim. R 32(A)(2)

{¶93}

AFFIDAVIT OF INFORMATION TO CAUSE ARREST AND INVESTIGATION

In the State of Ohio :

Sworn and subscribed :

in the county of Hamilton :

{¶94} Being duly cautioned of the penalty of perjury we do solemnly affirm the following facts to be true and accurate to the best of our knowledge and understanding :

{¶95} We Richard J. De Noma and Patricia A. De Noma, 82 and 78 years of age respectively, are the property owners of 7524 Bridgetown road, Hamilton County, Cincinnati, Ohio 45248, which is our residence of more than fifty years, where also our 29 year old grandson Joshua M. Hardig resides with us.

{¶96} We were present in the Hamilton County Common Pleas Court room in Case No. SP0800368-B952232 in support of our son Anthony J. De Noma in his Petition For Immediate Relief From Community Notification, since, as a first time offender, sentenced under law prior to 1996 he was exempt from registration, since the law in effect at that time, required registration only of habitual sex offenders, yet thirteen years later he was now being subjected to Ex Post Facto community notification and double jeopardy of life time registration under the new, (2008), Senate Bill 10 Adam Walsh Act.

{¶97} After procuring the transcripts of said proceedings for Anthony's record on appeal, in February, we were shocked, substantially disturbed, unnerved and severely distressed to learn of the injurious libel spoken of us in the court room and published against us on the State official computer Internet record, by forgery of Anthony's personal information, and fraudulent listing of our name and private residential address without Photo Identification, on E.S.O.R.N., Richard Cordray Ohio Attorney General's Electronic Sex Offender Registration and Notification registry, with Notification of our neighbors, even though Anthony won his Petition and was granted Immediate Relief from Community Notification.

See attached exhibited evidence

{¶98} This perils libel injury , and manifest injustice against us, caused us substantial loss of our accumulated value in our acquired privately owned residential property, and in our name and reputation destroying our sense of happiness, peace, safety and security in the same, by menacingly setting us up to be harassed, and ostracized , by implicating us as the most heinous sex offenders, exposing us to all the violent vigilante hate monger perpetrators of hate crimes of the world, creating and causing unwarranted alarm among our neighbors and community, and also substantial dissension within our own previously peaceful family, and we fear could reasonably have caused to us physical injury and or death, and still could, since there is no way of knowing how many publications were downloaded and disseminated before correction was made, and we fear if the offending conduct that perpetrated this perils libel injury against us does not forthwith cease and desist immediately it has the potential to cause physical injury and or death to other innocent persons.

{¶99} The manifest intent of Ohio Revised Code Chapter 2950 establishes that community notification is only applicable to those offenders at risk of reoffending, and does not apply to a person not found to be either a sexual predator or a habitual sex offender. Anthony was found not to be at risk of reoffending and his former law registration exemption status was sustained by conjunctive civil actions of 8-12-1997 and 10-5-2001 under R.C. 2950 09 (C) (2) and pursuant to controlling statutory construction in State v. Cook (1998) 83 Ohio St. 3d at 408, 422-423, and, subsequently specifically affirmed by later enacted R.C. 2950.09 (C)(1) and (3).

See attached exhibited evidence

{¶100} Therefore the Hamilton County Court lacked jurisdiction of Anthony's classification, and, furthermore, both, defense counsel and the Prosecutor affirmed before the bar, that the jurisdiction of determination on Anthony's classification belonged in Ross County, and further, the Prosecutor testified before the bar of his conference and agreement with the Ross County Prosecutor, who confirmed that the Ross County Court would hold a hearing on the matter, { pursuant to R.C. 2950.031 (E) } .

See attached exhibited evidence

{¶101} Yet, the Hamilton County Prosecutor proceeded in opposition to Anthony's Petition, in malicious misuse of process, and fraudulent material misrepresentations, influencing the court in manifest disregard for both the manifest intent and purpose of the laws, and the doctrines of "Stare Decisis" and "Res Judicata" misleading the court, and instituting an old law sexual predator reclassification hearing, constituting malicious prosecution, in which he was unsuccessful in achieving his expressed objective of having Anthony reclassified as a sexual predator, and subject to community notification.

{¶102} Yet, when ordered by the court to put on the "ENTRY", the attorneys inappropriately and deceptively cited the new law provision for sentencing of sexually violent predators R.C. 2971.01 , producing two conjunctive ENTRIES, imposing Retroactive EX POST FACTO - Double Jeopardy lifetime registration, reclassifying him under the new Senate Bill 10, Adam Walsh Act as a Tier III sex offender.

See attached exhibited evidence

{¶103} Then without Anthony's knowledge or awareness, in acts of inter office collusion and in violations of Ohio Revised Code sections 2913.31(A)(1)(2)and(C)(1)(c)(iii) and 2913.42 (A)(1)and(B)(4), the Hamilton County Prosecutors caused the forgery of Anthony's personal information, and fraudulent listing of the address of our residence, against the manifest expressed mandates of R.C. 2950.04 (A)(1)(a),(c) and (d), while having full awareness and reasonable knowledge of Anthony's correct address of residence since the time of his arrest in 1995, as a state prisoner confined in Ross County, Chillicothe Correction Institute, and that neither did Anthony reside with us before, at the time of his arrest, nor when he offended. Then in a further act of deception and fraudulent material misrepresentation, to mislead the court, the county prosecutor purported in a motion to the First District Court of Appeals that Anthony was not registered with a Hamilton County residence, asserting again the courts lack of jurisdiction, on the matter of Anthony's classification, causing the dismissal of Anthony's statutory and lower court granted appeal of right, in the First District Court of Appeals case No. C0801178, thereby interfering with our civil rights and obstructing official business, violations of Ohio Revised Code sections 2921.31 (A)and(B), and 2921.45 (A)and(B).

See attached exhibited evidence

{¶104} We believe that, with reasonable knowledge, purpose and sufficient culpability, Joseph T. Deters practiced inappropriate use of the influence of his office to propagate his material misrepresentations and manifest disregard of the manifest intentions of the General Assembly, to wrongly misleading other public officials with purpose to procure their interoffice collusion to perpetrate and perpetuate his arbitrarily malicious scheme, and apparent wanton vendetta against sex offenders and their support systems, and organizing and orchestrating cumulative interoffice, reckless gross negligence per se, and nonfeasance and misfeasance in office, with regard to manifest expressed mandates of the law for the protection of the people, which prohibit Retroactive, Ex Post Facto, Double Jeopardy, and requires the in person registration of each sex offender's personal information, for accurate verification of his residential address, current photo for proper public identification, whether community notification is warranted , and date of data entry.

See attached exhibited evidence

{¶105} With good reason, exhibited by attached evidence, we believe, those in collusion and complicity with Joseph Deters, knowingly or unknowingly to cause and commit this manifest injustice and perils injury against us, include but is not limited to the following public officials:

1. Patrick X. Dressing #0063654P
   Hamilton County Assistant Prosecutor, in case No. B952232-SPO800368
2. Paula E. Adams #0069036P
   Hamilton County Assistant Prosecutor, in Appeal No. C0801178
3. Daniel Burke Jr. #13836 Defense Counsel
   Hamilton County Public Defender, in case No. B952232-SPO800368
4. Ralph E. Winkler, Judge, Hamilton County Court of Common Pleas
   Case No. SPO800368-B952232
5. Simon L. Leis Jr. Sheriff, Hamilton County
6. Richard Cordray Ohio Attorney General regional office

{¶106} By all the foregoing, Joseph Deters' conduct has substantially affected the basic fairness, integrity and public reputation of the justice system . Thereby seriously challenging the legitimacy of the underlying judicial process itself, constituting "Plain Error" and multiple violations of the Ohio Rules of Professional Conduct including but not limited to:

<u>Rule III, Ohio Rules of Professional Conduct</u>

3.1 Meritorious claims and contentions
3.3 Candor toward the tribunal
3.4 Fairness to opposing party and counsel
3.5 Impartiality and decorum of the tribunal
3.8 Special responsibilities of a prosecutor

<u>Rule VIII, Ohio Rules of Professional Conduct</u>

(a) violating and attempting to violate the Ohio Rules of Professional Conduct and knowingly assisting or including another to do so, or through the acts of another.
(b) Commit an illegal act that reflects adversely on the lawyer's honesty or trustworthiness.
(c) Engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
(d) Engage in conduct that is prejudicial to the administration of justice.
(e) State or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Ohio Rules of Professional conduct or other laws.

{¶107} By all the foregoing conduct perpetrated and caused by Joseph T. Deters, he has violated his R.C. 3.23, and Article XV, sec. 17, Ohio Constitution oath of office to support the constitution and laws of the State, proving himself to be an enemy of the people , the state, and its constitution by knowingly and purposefully, and unlawfully encroaching upon and depriving us of our most fundamental constitutional and civil rights including but not limited to : Substantive due process of law, and equal protection under the law, and protection of our peace, happiness, privacy, and sense of safety and security in our accumulated value to us in our residential property, in our name and in our reputation, guaranteed protection from vindictive and arbitrary encroachment from the government, without just compensation, Article I, sections 1.and 2. Ohio Constitution. See also Ohio jurisprudence in the following:
Van Fossen v. Babcock (1988) 36 Ohio St. 3d 100 at 104-105; Bruestle v. Rich (1953) 159 Ohio St. 13, 24, 110 N.E. 2D 778; Arnold v. Cleveland (1993) 67 Ohio St. 3d 35, 42, 616 N.E. 2D 163; Preterm Cleveland v. Voinovich (1993) 627 N.E. 2D 570; State v. Williams (Ohio App. 11 Dist.) 1999 WL 76633

{¶108} **"There is no crueler tyranny than that which is exercised under cover of law, and with the colors of justice"** U.S. v. Jannoti 673 F. 2d 578, 614 ,(3rd cir. 1982). "He who knows the truth, and bellows not the truth makes himself the accomplice of lies and forgers " Judge Billings Learned Hand U.S. Federal Judge 1909-1961.

{¶109} By all the foregoing, with good cause and reason we believe it is through conspiracy and engaging in a pattern of corrupt activity, that Joseph T. Deters committed violations of Ohio Revised Code sections 2923.01 (A)(1)(2), 2923.31(E),(I)(2)(c), and 2923.32 (B)(1), and caused this violation of R.C. Sec. 2739.01 Libel injury against us, constituting and culminating in multiple violations of the Ohio Revised Code including but not limited to:

R.C. 2705.02 (A)and (B), Contempt of Court
R.C. 2923.01 (A)(1)(2), Conspiracy
R.C. 2923.31 (E),(I)(2)(c), Corrupt activity
R.C. 2913.31 (A)(1)(2)and (C)(1)(c)(iii), Forgery, a felony of the second degree
R.C. 2913.42 (A)(1)and(B)(4), Tampering with records, a felony of the third degree
R.C. 2923.32 (B)(1), Engaging in a pattern of corrupt activity, a felony of the second degree
R.C. 2923.02 (A), Attempt, a felony of the first degree
R.C. 2903.02 (B), Murder, a felony of the first degree
R.C. 2923.02 (A), Attempt, a felony of the first degree
R.C. 2903.04 (A)and(C), Involuntary manslaughter, a felony of the first degree
R.C. 2923.02 (A), Attempt, a misdemeanor of the second degree
R.C. 2903.13 (A)and(B), Assault, a misdemeanor of the first degree
R.C. 2903.22 (A)and(B), Menacing, a misdemeanor of the forth degree
R.C. 2909.07 (A)(1)and(C)(2)(a), Criminal mischief, a felony of the fifth degree
R.C. 2921.13 (A)(1)(2)(3)(7)(10)and(F)(1), Falsification, a misdemeanor of the first degree
R.C. 2921.31 (A)and(B), Obstruction of official business, a felony of the fifth degree
R.C. 2921.44 (E)and(F), Dereliction of duty, misdemeanor of the second degree
R.C. 2921.45 (A)and(B), Interfering with civil rights , a misdemeanor of the first degree
R.C. 2923.03 (A)(1)(2)(3)(4)and(F), Complicity

{¶110} We declare under penalty of perjury that the foregoing statement with exhibited evidence is true and accurate according to our limited reasonable knowledge and understanding of the law.

Further Affiants Sayeth Naught

Executed on this 16 day of October, 2009.

Richard J. De Noma

Richard J. DeNoma

Patricia A. De Noma

Patricia A. DeNoma

Residents and Property owners of :
7524 Bridgetown Road, Hamilton County
Cincinnati, Ohio 45248
phone number (513) 941-0015

Sworn and subscribed in my presence on this 16 day of October, 2009.

Notary Public Howard P. SEAVER
My Comm Expires 06/25/2013

In the STATE OF OHIO :

Sworn and Subscribed:

In the COUNTY OF HAMILTON:

AFFIDAVIT
OF SUPPORTING INFORMATION

{¶111} Establishing nonfeasance and misfeasance in the office of Richard Cordray Ohio Attorney General, in collusion , and complicity with perverted scheme of Joseph T. Deters, Hamilton County Prosecuting Attorney, in conduct violative of multiple sections of the Ohio Revised Code, the Ohio Constitution, and the United States Constitution, a potential claim under 42 U.S.C. 1983.

{¶112} Being duly cautioned of penalty of perjury, I Richard J. De Noma do solemnly state and affirm as true, correct, and accurate the :

{¶113} In February, 2009, after learning of the damages and perilous libel injuries perpetrated against our privacy, name, reputation, peace, happiness, residential property, and substantive sense of safety and security, we contacted the office of Richard Cordray Ohio Attorney General to have our address deleted from his (E.S.O.R.N.), Electronic Sex Offender Registration and Notification World Wide Internet Public notification registry.

{¶114} On February27, 2009, as I talked to the deputy attorney general our address was deleted from E.S.O.R.N., and the new address was inserted as I spoke with them, and they pulled up a copy and I went through it with them line for line and made changes at that moment, yet the community notification requirement remained, despite the Judge Ralph Winkler's October 28,2008, ENTRY ORDER that community notification does not apply to Anthony J. De Noma.

{¶115} Since Ohio Revised Code Chapter 2950 specifically mandates that each individuals registration information is to be provided in person to the sheriff or his designee, R.C. 2950.04 (A)(1)(a)(c)(d). It seems that is the clear manifest intent and purpose of the law, and further, the attorney general is only authorized to receive registration information from the county sheriff. The logic of "Reasonable Knowledge" would set forth that if said registration is not pursuant to the law of R.C. Chapter 2950, to include photograph for identification, but in its place a notation that Offender is Incarcerated yet, includes a private address of residential property in Hamilton County, and further consists of a bogus data entry date of 1-1-1900, more than a hundred years ago, then reasonable knowledge should reject such registration as fraudulent, and outside the scope of employment and official responsibilities of the Attorney General to accept such bogus registration. Furthermore there is no provision in the law for the attorney general to conduct actual registration or address verification, as he has done in this case.

{¶116} Clearly the office of the Ohio Attorney General practices a custom of acquiescence and tolerance of state and federal rights violations, in manifest disregard of statutory requirements.

FURTHER AFFIANT SAYETH NOT.

Richard J. De Noma

Richard J. De Noma
7524 Bridgetown Road
Cincinnati, Ohio 45248
telephone (513) 941-0015

Sworn and subscribed in my presence on

on this 20 day of November ,2009.

Notary Public
Howard P. Seaver
My Comm Exp. 6/25/2013

February 26, 2009

Ohio Attorney General

Dear Mr. Cordray

The enclosed information was down loaded from the internet.

Lets start from the bottom of the page.

Last notified 01/01/1900 How do you account for the date when the birth date above is 7/09/58

Address where registered - what do you mean by registered?

If you mean he lived there. He lived there only until he was seventeen, then he enlisted in the U.S. Army which was his home for seventeen years until he was honorably discharged. Married while in service he then lived with his wife and children in their <u>own</u> home after discharge.

Our home and address has <u>no</u> connection with his offense and residence. Our address needs to be REMOVED FROM THE INTERNET. We are very concerned about our home being <u>targeted</u> as a residence of a listed sex offender.

A reply to this letter is requested, wanted and needed.

Copies of this have been made of this for reference and future use, whatever the case.

Mr + Mrs. Richard J. DeNoma
Parents of Anthony J. DeNoma
7524 BRIDGETOWN, RD.
CINCINNATI, OHIO 45248

RICHARD CORDRAY
OHIO ATTORNEY GENERAL

Offender Details

Offender/Demographics

ANTHONY J. DENOMA

Nickname: **n/a**

Date of Birth:	**07/09/1958**	Age:	**50**
Race:	**Unknown**	Gender:	**Male**
Height:	**0'0"**	Weight:	**n/a**
Hair:	**Unknown**	Eyes:	**Unknown**

Also Known As:
n/a

Scars, Marks, Tattoos:
n/a

Supervision Status:
n/a

Outstanding Warrants (Status of Warrant Subject to Change):
n/a

Additional Information:
Fingerprints on file with Ohio BCI
DNA registered in the National CODIS system

Photo not available

Photo Date:

Submit A Tip / Correction

Offender is Incarcerated

Offense Details

Classification:
Tier III Sex Offender with Notification

Offense(s):

2907.02- Rape
2907.12- REPEALED 1996 - Felonious Sexual Penetration-See 2907.01
2907.05- Gross Sexual Imposition

Victim(s):

Addresses Where Registered

Residential view approximate map
7524 BRIDGETOWN RD.
CINCINNATI, OH 45210
Hamilton County

Last Modified: **01/01/1900**

* More information on this registrant may be available at the Sheriff's Office

16.

iv

IN THE STATE OF OHIO :

SS : **AFFIDAVIT OF ANTHONY J. DE NOMA**

COUNTY OF HOCKING : **R.C. § 2969.25** Statement of previous court actions

I, Anthony J. De Noma, (*hereafter DeNoma*), the undersigned, being duly sworn and cautioned, of penalty of perjury, do submit as complete, accurate the following record as the officially documented facts of my unsuccessful court actions in the previous five years challenging reclassification and successive double jeopardy proceedings in **Case No. SP 0800368**, subsequently denied any de novo or substantive appeal of right, effectively subverting and sabotaging the prior final judgment stare decisis case law remedy of registration exemption and entitled right to earn a substantive deduction from my sentence, in **Case No. B 9502232**.

1. February 19, 2008, Petition in **Case No. B 9502232**, Seeking Immediate Relief from Community Notification, in which against res judicata was inappropriately changed to double jeopardy proceedings of **Case No. SP 0800368** conducting reclassification, retroactively imposing ex post facto burdens, duties, obligations, disabilities and liabilities not existing at the time of offenses by two ambiguously different and separate October 28, 2008 ENTRIES, under ex post facto **R.C. § 2971** sentencing specifications for Sexually Violent Predators.

2.) January 29, 2009, direct Appeal of right **No. C-081178** Dismissed on respondents Motion that Petitioner neither resided nor had registered in Hamilton County, presuming that Petitioner had been granted requested entitled relief from community notification.

3.) June 3, 2009, Ohio Supreme Court **No. 2009-0475**, Claimed Appeal of Right Dismissed as if involving no substantial constitutional question.

4.) January 11, 2010, Petition **No. 09-7468**, to the United States Supreme Court for Writ of Certiorari, Denied.

5.) September 6, 2011, **Case No. A-1001030** Dismissed, affirming the imposition retroactive burdens, duties, obligations, disabilities, and liabilities of sex offender registration and concomitant public community notification on the interstate Sex Offender Registration Notification Internet website.

6.) May 16, 2012, **Appeal No. C-110616**, Affirmed Dismissal of Case No. A-1001030, as having provided no grounds for entitled relief.

Concurrent correlating court actions filed in the Fourth District, Ross County:

1.) December 12, 2008, **Case No. 08 CI831**, contesting reclassification, Dismissed as untimely.

2.) December 8, 2009, **Appeal No. 09 CA3089** Affirmed Dismissal of Petition contesting reclassification.

3.) March 10, 2010, Ohio Supreme Court claimed appeal of right **No. GEN-2010-0093** Dismissed as involving no substantial constitutional question.

4.) May 5, 2010, Reconsideration of Ohio Supreme Court claimed appeal of right **No. GEN-2010-0093**, Denied for want of four votes.

NOTHING FOLLOWS

Anthony J. De Noma

Anthony J. De Noma, Plaintiff-Appellant, pro se

Sworn to and subscribed in my presence, this 18 day of June, 2012, a Notary Public for the County of Hocking.

Corrina Dicken

Notary Public

Notary Public, State of Ohio
My Commission Expires 7-25-15
Commission Recorded in Athens

AFFIDAVITS OF ANTHONY J. DE NOMA, pursuant to **R.C. § 2969.25(C)**
Establishing his indigency, and seeking waiver of prepayment of the Court's full filing fees

IN THE STATE OF OHIO :
SS:
COUNTY OF HOCKING :

I, Anthony J. De Noma, the undersigned affiant (hereafter DeNoma), being duly sworn and cautioned of penalty of perjury, do solemnly declare, that I am an indigent pauper, without the necessary funds to pay the costs and filing fees for this court action. DeNoma, hereby seeks waiver of prepayment of the Court's full filing fees.

DeNoma, solemnly declares the following statements to be true accurate and officially documented facts, affirmed by attached statement setting setting forth the balance in his inmate account for each of the preceding six months as certified by the institutional cashier at the Ohio Department of Rehabilitation and Corrections Hocking Correctional Facility.

1.) DeNoma is a citizen of the State of Ohio;
2.) For more than fifteen years, since February 10, 1995 arrest and subsequent judgment of sentence, DeNoma has been a dependent Ward of the State of Ohio, prisoner # 308-836, subject to extraordinary circumstances and difficulty as a prisoner of the State, denies him the opportunity of saving and editing his work on a word processor, requiring DeNoma to accomplish extensive actual cutting and pasting together of his papers, resulting in substantive extra costs for the additional copies required in the development of his court filings.
3.) DeNoma now resides at the Hocking Correctional Facility, 16759 Snake Hollow Road, P.O. Box 59, Nelsonville, Ohio 45764, phone (740) 753-1917;
4.) DeNoma is entitled to the redress that is sought in this court action;
5.) DeNoma is indigent, without possession of real or personal property or assets of sufficient value to offer as pledge of security, and DeNoma is unable to pay the costs and charges involved in the within matters.

Wherefore, due to DeNomas indigence and extraordinary circumstances, DeNoma hereby respectfully requests this Honorable Courts ***permission to submit one single copy of his filings*** in this case, and waiver of prepayment of the Courts full filing fees, until such time that he is released from imprisonment and restored the rights forfeited by his conviction.

FURTHER AFFIANT SAYETH NAUGHT. Anthony J. DeNoma

Anthony J. De Noma, 3308-836, Plaintiff-Appellant
P.O. Box 59, Hocking Correctional Facility, 16759 Snake Hollow Road
Nelsonville, Ohio 45764 phone (740) 753-1917, FAX 753-4137

Sworn to and subscribed in my presence this 18 day of June, 2012, a Notary Public for the State of Ohio in the County of Hocking. Corrina Dicken

Notary Public

Notary Public, State of Ohio
My Commission Expires 7-25-15
Commission Recorded in Athens

Ohio Department of Rehabilitation and Correction

SECTION I - To be completed by cashier prior to this form being presented to the inmate for completion of SECTION II - Affidavit of Indigency.

I, Dorothy L Hunt, cashier at the Hocking Correctional Facility certify that the following is a true and accurate reflection of the status of the account maintained at this institution for the benefit of:

Inmate Name:	Inmate Number:
Denoma, Anthony J	A-308836

The Prison Litigation Reform Act (PLRA) requires that the time period to be considered is the preceeding six months. It also requires that, "...if financial activity is less than six months due to less than six months of incarceration, then note this fact on the statement. If lack of history is due to recent transfer, then obtain missing month-end reports from sending cashier to complete the six month period. The sending cashier must similarly certify the monthend reports."

The time period being reported below is: ☒ Six months ☐ Fewer than six months, beginning _____

The time period is fewer than six months, because: ☐ Period of Incarceration ☐ Transfer

Account Balance as of 06/11/2012:	$24.92
Total state pay credited for the report period;	$132.00
Average monthly state pay for the report period;	$22.00
Total funds received from all sources, excluding state pay, for the report period;	$80.00
Total amount spent in inmate's commissary during the same period;	$178.88

Signature of Cashier:	Date:
Dorothy Hunt	06/11/2012

AFFIDAVIT OF INDIGENCY

SECTION II - To be completed by inmate after cashier's statement is completed.

I, Denoma, Anthony J, being first duly sworn, says that he/she does not have sufficient funds to pay the filing fee and other costs of prosecuting this complaint against the State of Ohio, Department of Rehabilitation and Correction, in the Court of Claims of Ohio and submits the cashier's statement (Section I) in support of said allegation of indigency.

I hereby represent that the Information set forth in the cashier's statement concerning my financial condition is true and complete to the best of my knowledge and belief.

Signature of Inmate:	Inmate Number:
Anthony J. DeNoma	A-308836

Sworn to and subscribed to me in my presence this 18 day of June, 2012.

Notary Public: Corrina Dicken

Notary Public, State of Ohio
My Commission Expires 7-25-15
Commission Recorded in Athens

DRC 2257 E (08/97)

ACA 4262, 4324

06/11/2012

Hocking Correctional Facility

Inmate Demand Statement

Inmate Name: DENOMA, ANTHONY J Number: A308836

Lock Location: HCF,B,2,,,023B

Date Range: 12/11/2011 Through 06/12/2012

Beginning Account Balances:

	Saving	Debt	Payable
Electronics Usa	$0.00	$0.00	$2.00
Pos Exemption	$14.00	$0.00	$0.00
Inmate's Person	$10.14	$0.00	$0.00
Begin Totals	**$24.14**	**$0.00**	**$2.00**

Ending Account Balances:

	Saving	Debt	Payable
Electronics Usage C	$0.00	$0.00	$1.00
Pos Exemption	$14.00	$0.00	$0.00
Inmate's Personal A	$10.92	$0.00	$0.00
End Totals	**$24.92**	**$0.00**	**$1.00**

Transaction Date / Inst.	Transaction Amount	Description	Comment	Saving Balance	Debt Balance	Payable Balance
12/12/2011 HCF	($2.00)	Payment to Treasurer, State of Ohio	ELECTRIC USAGE, NOV. & DEC. '11	$24.14	$0.00	$0.00
12/14/2011 HCF	$25.00	Money Order	RICHARD DENOMA	$49.14	$0.00	$0.00
12/14/2011 HCF	($7.32)	Commissary Sale	Ticket Number 83066	$41.82	$0.00	$0.00
12/19/2011 HCF	($2.64)	Postage Charges (USPS)	POSTAGE	$39.18	$0.00	$0.00
12/22/2011 HCF	($17.02)	Commissary Sale	Ticket Number 83408	$22.16	$0.00	$0.00
12/27/2011 HCF	($4.80)	Postage Charges (USPS)	POSTAGE	$17.36	$0.00	$0.00
12/27/2011 HCF	($4.80)	Postage Charges (USPS)	POSTAGE	$12.56	$0.00	$0.00
12/27/2011 HCF	($4.80)	Postage Charges (USPS)	POSTAGE	$7.76	$0.00	$0.00
12/29/2011 HCF	($5.30)	Commissary Sale	Ticket Number 83733	$2.46	$0.00	$0.00
12/30/2011 HCF	$20.00	Money Order	RICHARD DENOMA	$22.46	$0.00	$0.00
01/01/2012 HCF	($15.00)	Inmate's Personal Account	POS Exemption Transfer	$7.46	$0.00	$0.00
01/01/2012 HCF	$15.00	Pos Exemption	POS Exemption Transfer	$22.46	$0.00	$0.00
01/05/2012	($8.37)	Commissary Sale	Ticket Number 83971	$14.09	$0.00	$0.00

HCF 01/06/2012	$22.00 State Pay	State Pay	$36.09	$0.00	$0.00
HCF 01/06/2012	($1.00) Electronics Usage Charge	Electronic Usage Charge	$35.09	$0.00	$1.00
HCF 01/12/2012	($22.68) Commissary Sale	Ticket Number 84414	$12.41	$0.00	$1.00
HCF 01/24/2012	($2.50) Postage Charges (USPS)	POSTAGE	$9.91	$0.00	$1.00
HCF 01/24/2012	($2.50) Postage Charges (USPS)	POSTAGE	$7.41	$0.00	$1.00
HCF 01/24/2012	($2.50) Postage Charges (USPS)	POSTAGE	$4.91	$0.00	$1.00
HCF 01/24/2012	$25.00 Money Order	CAROLE CARLTON	$29.91	$0.00	$1.00
HCF 01/25/2012	($7.63) Commissary Sale	Ticket Number 84868	$22.28	$0.00	$1.00
HCF 02/01/2012	($15.00) Inmate's Personal Account	POS Exemption Transfer	$7.28	$0.00	$1.00
HCF 02/01/2012	$15.00 Pos Exemption	POS Exemption Transfer	$22.28	$0.00	$1.00
HCF 02/01/2012	($12.41) Commissary Sale	Ticket Number 85145	$9.87	$0.00	$1.00
HCF 02/01/2012	($0.20) Postage Charges (USPS)	POSTAGE	$9.67	$0.00	$1.00
HCF 02/02/2012	$10.00 Money Order	RICHARD DENOMA	$19.67	$0.00	$1.00
HCF 02/02/2012	($1.00) Payment to Treasurer, State of Ohio	ELECTRIC USAGE, JAN. '12	$19.67	$0.00	$0.00
HCF 02/03/2012	$22.00 State Pay	State Pay	$41.67	$0.00	$0.00
HCF 02/03/2012	($1.00) Electronics Usage Charge	Electronic Usage Charge	$40.67	$0.00	$1.00
HCF 02/15/2012	($12.57) Commissary Sale	Ticket Number 85905	$28.10	$0.00	$1.00
HCF 02/17/2012	($0.20) Postage Charges (USPS)	POSTAGE	$27.90	$0.00	$1.00
HCF 02/17/2012	($0.20) Postage Charges (USPS)	POSTAGE	$27.70	$0.00	$1.00

HCF 02/17/2012	($0.20) Postage Charges (USPS)	POSTAGE	$27.50	$0.00	$1.00
HCF 02/22/2012	($5.50) Commissary Sale	Ticket Number 86209	$22.00	$0.00	$1.00
HCF 03/01/2012	($15.00) Inmate's Personal Account	POS Exemption Transfer	$7.00	$0.00	$1.00
HCF 03/01/2012	$15.00 Pos Exemption	POS Exemption Transfer	$22.00	$0.00	$1.00
HCF 03/01/2012	($10.33) Commissary Sale	Ticket Number 86561	$11.67	$0.00	$1.00
HCF 03/01/2012	($1.00) Payment to Treasurer, State of Ohio	ELECTRIC USAGE, FEB. '12	$11.67	$0.00	$0.00
HCF 03/05/2012	($0.20) Postage Charges (USPS)	POSTAGE	$11.47	$0.00	$0.00
HCF 03/05/2012	($0.20) Postage Charges (USPS)	POSTAGE	$11.27	$0.00	$0.00
HCF 03/05/2012	($0.20) Postage Charges (USPS)	POSTAGE	$11.07	$0.00	$0.00
HCF 03/06/2012	($0.20) Postage Charges (USPS)	POSTAGE	$10.87	$0.00	$0.00
HCF 03/09/2012	$22.00 State Pay	State Pay	$32.87	$0.00	$0.00
HCF 03/09/2012	($1.00) Electronics Usage Charge	Electronic Usage Charge	$31.87	$0.00	$1.00
HCF 03/16/2012	($0.20) Postage Charges (USPS)	POSTAGE	$31.67	$0.00	$1.00
HCF 03/22/2012	($12.54) Commissary Sale	Ticket Number 87252	$19.13	$0.00	$1.00
HCF 03/30/2012	($1.00) Payment to Treasurer, State of Ohio	3/12, electric payment	$19.13	$0.00	$0.00
HCF 04/01/2012	($15.00) Inmate's Personal Account	POS Exemption Transfer	$4.13	$0.00	$0.00
HCF 04/01/2012	$15.00 Pos Exemption	POS Exemption Transfer	$19.13	$0.00	$0.00
HCF 04/05/2012	($11.22) Commissary Sale	Ticket Number 87787	$7.91	$0.00	$0.00
HCF 04/06/2012	$22.00 State Pay	State Pay	$29.91	$0.00	$0.00

HCF 04/06/2012	($1.00) Electronics Usage Charge	Electronic Usage Charge	$28.91	$0.00	$1.00
HCF 04/13/2012	($24.31) Commissary Sale	Ticket Number 88288	$4.60	$0.00	$1.00
HCF 04/27/2012	($1.00) Payment to Treasurer, State of Ohio	ELECTRIC USAGE, MARCH '12	$4.60	$0.00	$0.00
HCF 05/01/2012	$0.00 $15.00 Reservation to Pos Exemption	Odrc Pos Exemption	$4.60	$0.00	$0.00
HCF 05/03/2012	($2.52) Commissary Sale	Ticket Number 89085	$2.08	$0.00	$0.00
HCF 05/04/2012	$22.00 State Pay	State Pay	$24.08	$0.00	$0.00
HCF 05/04/2012	($1.00) Electronics Usage Charge	Electronic Usage Charge	$23.08	$0.00	$1.00
HCF 05/09/2012	($12.03) Commissary Sale	Ticket Number 89330	$11.05	$0.00	$1.00
HCF 05/23/2012	($1.00) Payment to Treasurer, State of Ohio	ELECTRIC USAGE, April 2012	$11.05	$0.00	$0.00
HCF 05/31/2012	($7.13) Commissary Sale	Ticket Number 90147	$3.92	$0.00	$0.00
HCF 06/01/2012	$0.00 $15.00 Reservation to Pos Exemption	Odrc Pos Exemption	$3.92	$0.00	$0.00
HCF 06/08/2012	$22.00 State Pay	State Pay	$25.92	$0.00	$0.00
HCF 06/08/2012	($1.00) Electronics Usage Charge	Electronic Usage Charge	$24.92	$0.00	$1.00
HCF					

Outstanding Debts:

Start Date	Description	Case	Agency	County	Total Debt	Paid to Date	Balance Owed
	Electronics Usage Charge						$0.00

Total Outstanding Case Balances	**$0.00**

Outstanding Holds:

Start Date	Description	Case	Agency	County	Total Debt	Paid to Date	Balance Owed

Total Outstanding Case Holds	$0.00

Outstanding Investments / EPC:

Investment Type	Investment Type Description	Invest Company	Company Description	Balance