

ORIGINAL

IN THE SUPREME COURT OF OHIO

INDYMAC FEDERAL BANK, FSB

Plaintiff-Appellee

vs.

S.C. Case No.2011-1581

EMERGENCY JUDICIAL NOTICE

REQUESTING STAY OR INJUNCTION

PENDING OHIO SUPREME COURT

OTM INVESTMENTS, INC., et al

APPEAL OF C.A. Case No.10CA0056-M

ROBERT DARRELL ANTHONY ESTATE dba AND TRIAL COURT Case no. 08CIV2019

ROBERT D ANTHONY

Defendant-Appellant

EMERGENCY JUDICIAL NOTICE REQUESTING STAY OR INJUNCTION PENDING OHIO SUPREME COURT APPEAL OF C.A. CASE NO. 10CA0056-M AND TRIAL COURT CASE NO 08CIV2019

Robert D Anthony, Ex

River Woods Drive-1296

Hinckley, Ohio [44233-9998]

216-4694256

DEFENDANT-APPELLANT, PRO SE



LAW OFFICES OF JOHN D. CLUNK CO. LPA

4500 COURTHOUSE BLVD, STE 400

STOW, OH [44224]

COUNCIL FOR APPELLEE 330-436 0301

NINTH DISTRICT COURT OF APPEALS

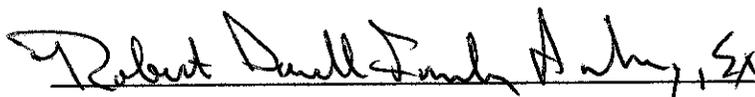
93 PUBLIC SQUARE., ROOM 129

MEDINA OH 44256

Comes now, ROBERT DARRELL ANTHONY ESTATE, dba ROBERT D ANTHONY not as an attorney and not well versed in law , claiming all my rights at all times and waiving no rights at any time UCC1-207/UCC1-308, and all rights protected by the Federal Constitution and Ohio State Constitution. Under Rule 2.2(D)(1)nof the rules of practice of the Supreme Court of Ohio provides that, “[a]fter an appeal is perfected from a court of appeals to the Supreme Court, the court of appeals is divested of jurisdiction, except to take aide of the appeal, to rule on an application timely filed with the court of appeals pursuant to [Rule 26 of the Ohio Rules of Appellate Procedure], or to rule on a motion to certify a conflict under Article IV, Section 3(B)(4) of the Ohio Constitution. As a party of interest I request under App. R. 27 and S. Ct. Prac. 2.2(A)(3)(a) of Appellate Court Case No.

10CA0056-M, and trial court case no. 08CIV2019 an Emergency Stay as trial court has continued to move with prosecution of Case No. 08CIV2019, has affirmed a sheriffs sale dated April 12 2012 and having even had an unlawful detainer hearing scheduled a sheriffs eviction for July 26 2012 while this case having been accepted for appeal on Dec 21 2011, or **O.R.C. 2727.05** Injunctions. On Praecipe For Writ Of Possession trial court has Supreme Court Case No. 2011-1581 showing trial court knew of S.C. case opened and an Appeals Court Case No. 11CA0096-M which is an error because the Appeals Court Case No. 10CA0056-M is the proper case appealed through this Hon. Supreme Court under S.C. Case No. 2011-1581.

WHEREFORE Appellant prays this Hon. Supreme Court will grant stay and or injunction of all inferior courts attempts to continue prosecution of said case. In God We Trust.



ROBERT DARRELL ANTHONY ESTATE dba,

ROBERT D ANTHONY

River Woods Drive-1296

Hinckley, Ohio [44233-9998]

DEFENDANT-APPELLANT, PRO PER

CERTIFICATE OF SERVICE

I hereby certify that a copy of the fore going Emergency Judicial Notice Requesting Stay Or Injunction Pending Ohio Supreme Court Appeal Of C.A. Case No. 2010CA0056-M, and Trial Court Case No. 08CIV2019 was forwarded by hand delivery, or regular U.S.P.S. Mail to JOHN D. CLUNK CO. LPA 4500 COURTHOUSE BLVD, STE 400 STOW, OH [44224] Attorney for Appellee, MEDINA COUNTY COURT OF APPEALS NINTH JUDICIAL DISTRICT, 93 PUBLIC SQUARE MEDINA, OH [44256], MEDINA COUNTY COURT OF COMMON PLEAS 73 PUBLIC SQUARE MEDINA, OH 44256
this 27 day of Sum , 2012

Robert Dale Frank Anthony, Esq.

DEFENDANT-APPELLANT, PRO PER

IN THE SUPREME COURT OF OHIO

INDYMAC FEDERAL BANK, FSB :

Plaintiff-Appellee :

Case No.2011-1581

vs. :

ORDER

OTM INVESTMENTS, INC., et al :

ROBERT DARRELL ANTHONY ESTATE dba

ROBERT D ANTHONY

Defendant-Appellant :

Robert D Anthony, Ex

River Woods Drive-1296

Hinckley, Ohio [44233-9998]

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NINTH DISTRICT COURT OF APPEALS

93 PUBLIC SQUARE., ROOM 129

MEDINA OH 44256

**ORDER REQUESTING EMERGENCY JUDICIAL NOTICE REQUESTING STAY OR
INJUNCTION PENDING OHIO SUPREME COURT APPEAL OF C.A. CASE NO.
10CA0056-M AND TRIAL COURT CASE NO 08CIV2019**

On this _____ day of _____ 2012, this matter came before the court for the signing of the order issuing the ORDER REQUESTING EMERGENCY JUDICIAL STAY OR INJUNCTION PENDING OHIO SUPREME COURT APPEAL OF C. A. CASE NO. 10CA0056-M AND TRIAL COURT CASE NO. 08CIV2019 in the above captioned matter, and appears to the court that the request is well taken and stay or injunction should issue. The court finds that the appellant request is entitled to the relief requested.

SO ORDERED.

SIGNED this _____ day of _____, 2012

[Judge(s)]

12-00746

EXHIBIT

C

COMMON PLEAS COURT

12 JUN -1 AM 11:01

IN THE COURT OF COMMON PLEAS
MEDINA COUNTY, OHIO

FILED
DAVID B. WADSWORTH
MEDINA COUNTY
CLERK OF COURTS

IndyMac Federal Bank, FSB

Plaintiff

vs.

OTM Investments, Inc. , et al.

Defendant(s)

CASE NO. 08CIV2019 (Appeal 19CA0096-
M)(Sup. Ct. 2011-1581)

JUDGE JAMES KIMBLER

PRAECIPE FOR WRIT OF POSSESSION

To the Clerk of Court of Common Pleas:

Please issue a Writ of Possession directed to the Sheriff of Medina County, returnable according to law. Plaintiff was the successful purchaser at Sheriff Sale which was confirmed on April 25, 2012. The Entry Confirming Sale awarded a writ of possession to put Plaintiff in possession of the premises. Pursuant to the Entry, Plaintiff requests that the Sheriff notify OTM Investments, Inc. , et al. and any other occupants at 1296 River Woods Drive, Hinckley, OH 44233-9794 that they shall vacate the premises. Failure to vacate the premises will result in the Plaintiff, with the Sheriff keeping the peace, taking possession of the premises.

THE LAW OFFICES OF
JOHN D. CLUNK CO., L.P.A.

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