

ORIGINAL

THE SUPREME COURT OF OHIO

IN RE:

SUP. CT CASE NO. 2012-1186

Judicial Campaign Complaint against

Jeanette Moll (0066786)

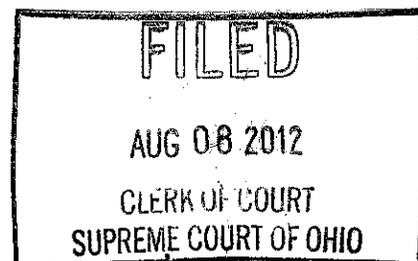
BOARD OF COMMISSIONERS ON  
GRIEVANCES & DISCIPLINE  
CASE NO. 12-045

RESPONDENT'S MOTION FOR SANCTIONS

**David F. Axelrod, Esq.**  
**Michael W. Karam**  
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**Steven C. Hollon**  
Secretary of the Commission  
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**Jeanette M. Moll**  
Respondent, Pro Se  
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803B Market Street  
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Now comes the Respondent Jeanette Moll and respectfully moves for sanctions against Complainant Lynn Rife.

Respondent states she has, in compliance with the Supreme Court Rules of Practice, served all of her pleadings in the instant case upon the Complainant's attorney by facsimile.

Respondent further states that on August 3, 2012, she received an e-mail copy of an order granting the Complainant an extension of time. Further, on August 6, 2012, she received a copy of such order by certified mail.

The Respondent, as of the morning of August 7, 2012, has not received service of Petitioner's Motion for an Enlargement of Time to File Answer Brief and Objections. Respondent has secured a copy of such pleading from the Supreme Court's webpage.

Respondent states that S.Ct.Prac.R. 14.2(B)(3) directs that "In expedited election cases...service of all documents....shall be personal, by e-mail, or by facsimile transmission." Further, S.Ct.Prac.R. 14.2(B)(1) also provides for service by e-mail or facsimile.

Respondent further states that it is her knowledge and belief that pleadings sent by first class mail arrive within one to two business days from Columbus to Zanesville. Thus, if Complainant had mailed her Motion for Enlargement by U.S. first class mail, it would have been received on or before August 3, 2012 by the Respondent. Two more days of mail have occurred with no service of Complainant's Motion for Enlargement such that 6 days have elapsed without service.

Respondent further states that the Order of August 3, 2012 provided Complainant until August 10, 2012 to file her pleadings. Respondent is granted until August 14 to respond (4 days later). Respondent notes that should the Complainant again choose to fail to serve the Respondent for 6 or more days, the foregoing time period would elapse with no notice given to Respondent thereby effectively eliminating her ability to respond in a timely manner.

Respondent states that this Court issued a cease and desist order on the afternoon of July 31, 2012 which the Respondent received by e-mail. Respondent further states on the morning of August 1, 2012, she received her first Press call regarding the same from the Zanesville Times Recorder. The Times Recorder ran an article the next day with quotes from the Complainant's attorney, David Axelrod. Thus, it appears that the Complainant can notify the Press of matters related to this case in less than 24 hours while not serving the Respondent for more than 6 days with Complainant's pleadings.

The foregoing failure to comply with service has caused the Respondent to expend time and resources to investigate, locate, and download Complainant's Motion for Enlargement. Further, Respondent has been forced to file the instant motion to ensure that she is properly served with future pleadings.

Therefore, Respondent respectfully requests attorney fees and costs incurred.

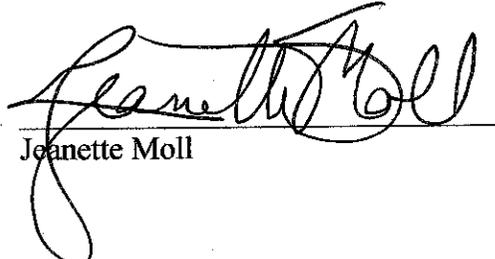
Respondent further respectfully requests an order to compel the Complainant to serve

the Respondent with all pleadings the same day they are filed with the Court either by e-mail or facsimile.

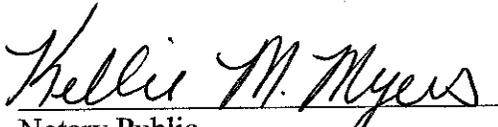
Respectfully submitted,

  
\_\_\_\_\_  
Jeanette Moll (0066786)  
803 Market Street  
Zanesville, OH 43701  
740-297-4700  
[jmollesq@gmail.com](mailto:jmollesq@gmail.com)

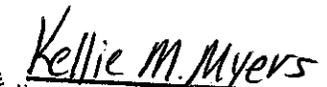
I hereby attest to and state that the foregoing Motion for Sanctions is true and accurate

  
\_\_\_\_\_  
Jeanette Moll

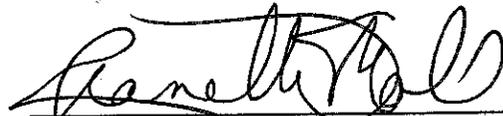
Sworn to before me this 7<sup>th</sup> day of ~~July~~ <sup>August</sup>, ~~2011~~ <sup>2012</sup>.

  
\_\_\_\_\_  
Notary Public



  
\_\_\_\_\_  
Notary Public, State of Ohio  
My Commission Expires  
July 09, 2014

The undersigned hereby certifies that a true copy of the foregoing was duly served upon Attorney David F. Axelrod, Esq at 614-545-6356, Steven Hollon at 614-387-9379 and D. Allan Asbury at 614-387-9509 by facsimile on August 7, 2012.

  
\_\_\_\_\_  
Jeanette M. Moll (0066786)

## Moll fights appeals court order to stop circulating fliers

COLUMBUS -- A Zanesville attorney and candidate for the Fifth District Court of Appeals disagrees with an order to stop circulating fliers in which she is featured wearing judge's robes.

A panel of five judges appointed by the Ohio Supreme Court has ordered that Jeanette Moll immediately desist from distributing campaign literature that depicts her in a judge's robe.

Moll is running against Judge Patricia A. Delaney, a Democrat, who already sits on the higher court.

Moll was a magistrate in Guernsey County from 1997 to 2007 and said when she had the fliers made, she thought it was OK since she had that office at one time.

"Even though everything in the fliers are true, I have complied with the order," Moll told the Times Recorder Wednesday. "I have filed an objection to the order."

A complaint was filed with the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio by Lynn Rife, a Delaware County resident and supporter of Delaney. Rife said Moll was misleading voters into thinking Moll might be a judge or magistrate.

Moll has until Aug. 6 to affirm with the panel that she contacted every Republican Party county headquarters in the Fifth Appellate District and the executive officer of every other organization in which the flier may have been distributed. If fliers are found, they are to be immediately destroyed or returned to Moll, the panel ordered.

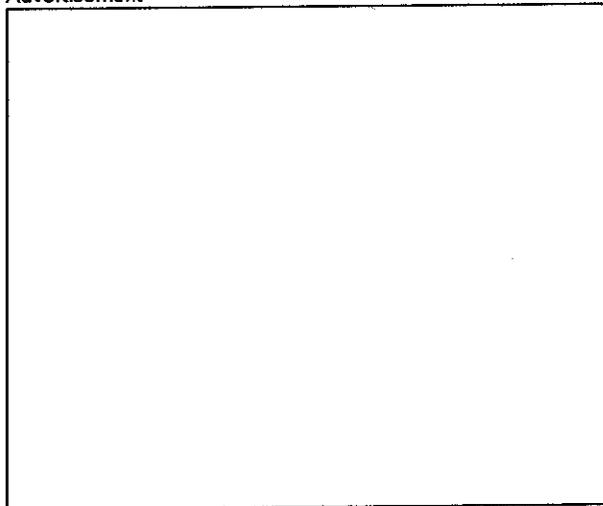
Moll filed her objection to the order Monday, stating she had clearly made it known on the fliers she is not a judge now, but had been a magistrate years ago.

Rife has referred calls to her attorney, David Axelrod, who has also filed an objection to the order.

Axelrod said Moll should also have to pay his attorney fees.

"It's not always done," Axelrod said. "But in this case, there was a substantial investigation into this and a day for testimony. Her conduct was egregious and attorney fees should be awarded."

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The panel could hear the arguments  
sometime this month.

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