

IN THE SUPREME COURT OF OHIO

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

Case No. 12-1073

vs.

JOSEPH T. DETERS, ET AL.,
Defendant-Appellees.

MOTION for Judicial Notice
MOTION for Reconsideration

FILED
OCT 04 2012
CLERK OF COURT
SUPREME COURT OF OHIO

Now comes Anthony J. De Noma, Plaintiff-Appellant herein, (hereafter, DeNoma), asserting his inalienable legal status under laws in operation prior 1996, his property right by 'stare decisis' case law remedy of final judgment on April 6, 1995, in Hamilton County Common Pleas, State v. Anthony J. De Noma, Case No. B 9502232, under former Ohio Revised Code Title XXIX, Sections 2901.04(A), 2929.11(A), 2950.01, 2950.03, 2950.08, 2050.99, 2967.19(A)(D)(E), and 2967.193(A)(C), which 1.) Made it a crime for any public official to publicly disseminate sex offender registration information; 2.) Exempted DeNoma as a first time offender, from registration; and, 3.) Entitled DeNoma to the right to earn a one third substantive deduction from his indefinite sentence that shall not be forfeited for any reason. See Weaver v. Graham, (1981), 450 U.S. 24, 32, 101 S.Ct. 960, 966; State v. Bodyke, 2010 Ohio 2424, 126 Ohio St.3d 266, 933 N.E.2d 753; State v. Williams, 2011 Ohio 3374, 129 Ohio St.3d 344, 952 N.E.2d 1108.

The 2007-2008 Senate Bill 10 R.C. § 2950.011 explicitly sustained the prior law registration exemption status, and § 2950.031 established the right for a meaningful hearing and appeal of any reclassification of old law offenders. Yet, it was unclear what forum and venue was proper for DeNoma who had never reported to register his personal information with any county sheriff.

Civil Rule 3(E) states: In any action involving one or more claims for relief, the forum shall be deemed a proper forum, and venue in the forum shall be proper, if the venue is proper as to any one claim for relief. So DeNoma's claims were timely and properly filed in Hamilton County, yet he was denied a 'de novo' appellate review of right on the questions of law. See Atkinson v. Grumman, (1988), 37 Ohio St.3d 80, 84-85, 523 N.E.2d 851, 855-856; State v. Palmer, 2012 Ohio 580, 131 Ohio St.3d 278, 946 N.E.2d 406.

Without cause, reason, or authority, and egregiously contrary to the substantive process of law, Defendant-Appellees subjected DeNoma and his family to unlawful endangering libelous dissemination of their personal information and double jeopardy malicious prosecution in Case No. SP 0800368, unconstitutionally subjecting DeNoma to Cruel and Unusual punishments and false imprisonment under Ex Post Facto Revised Code Chapter 2971 sentencing specifications for violent sexual predators, and deprived DeNoma of any appellate review.

On February 3, 2010, DeNoma filed his claims in Case No. A 1001030, for damages for said malicious prosecution and libel injuries, giving constructive notice of his intent to seek relief under 42 U.S.C. § 1983 and § 1985. And on November 26, 2010, DeNoma filed his Motion in Case No. SP 0800368 to vacate and nullify both 10-29-2008 ENTRIES, evidenced by the two immediately following documents.

Yet, Defendant-Appellees have proven themselves as rogue agents, acting with egregious manifest disregard for substantive and procedural Due Process of Law, continuing to oppose DeNoma's claims for relief, defiantly refusing to act to nullify the effects of their malicious prosecution, unreasonably perpetuating the same, actually sabotaging and subverting DeNoma's civil rights and constitutional liberties protected by both the Ohio State and United States Constitutions, effectively subjecting DeNoma to unconstitutional attainder, depriving DeNoma of equal protection Due Process following Affidavits and exhibited substantive process of law.

RECEIVED

CLERK OF COURT
SUPREME COURT OF OHIO

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

A1001030

Anthony J. De Noma
Richard J. De Noma
Patricia A. De Noma
Joshua M. Hardig, et al.,
Plaintiffs-Complainants

Case No. _____

Judge: _____

vs.

Joseph T. Deters
Hamilton County, and
The State of Ohio et al.,
Defendants-Respondents

Civil Liability Action Seeking Restitution and Recovery of Compensatory, Punitive and Exemplary Damages for the State's Intentional Tort Actions of Fraud, Material Misrepresentation, Manifest Disregard, Abuse of Process, Malicious Prosecution, Manifest Injustice, and Libel Injuries, under Revised Code Sections: 9.86, 2305.11, 2950.12(B)(1)(2)(3), Chapter 2744. §2744.03(A)(6), 2315.18(B)(2) and 2315.21(D)(1) and (6). Stating Intentions to assert claims under 2307.60, 2743.02, and 42 U.S.C. §§1983 and 1985.

IN THE STATE OF OHIO :

SWORN AND SUBSCRIBED AFFIDAVIT

FILED
FEB - 3 2010
PATRICIA M. CLANCY
COMMON PLEAS COURT

IN THE COUNTY OF ROSS:

I, Plaintiff Anthony J. De Noma, duly cautioned of penalty of perjury do hereby declare all the following information to be true and accurate.

On February 5, 2009, Plaintiffs discovered the evidence or the state's intentional tort, actions of criminal mischief and perilous menacing libel, against Richard J. and Patricia A. De Noma, their reputation, residential property, and sense of peace, happiness, privacy, safety and security in the same, perpetrated through collusion in patterns of corrupt activity of forgery and tampering with state records, without probable cause or authority to do so, abusing the statutory process of sex offender registration, in arbitrary wanton recklessness, falsely listing 7524 Bridgetown Road, Hamilton County, Cincinnati Ohio, on the state's public Internet sex offender registry as the residence of a heinous sex offender, defrauding Plaintiffs of their substantive inalienable rights, of accrued acquired security in their name reputation of eighty years, and in their private property of residence of more than fifty years, in a "Bad Faith" perverted scheme of on going abuse of process and malicious prosecution conducted by Hamilton County Prosecutor Joseph T. Deters to interfere with the Civil Rights of Anthony J. De Noma in Case No. SPO800368-B9502232, App. No. C-081178.

Now comes Plaintiff, Anthony J. De Noma, in the following pages naming Parties and Defendants listing office addresses, incorporating Affidavits of information of complaint, citing authorities, exhibiting the evidence in *volume II Appendix* establishing the liability of Joseph T. Deters, named Defendants, the County of Hamilton, and the state of Ohio.

Sworn to and Subscribed in my presence, a Notary Public for the State of Ohio, in the County of Ross,

on this 27 day of January, ²⁰¹⁰ ~~2009~~

Melissa Baugh
Notary Public

8/11/2013
expires

Respectfully submitted
Anthony J. De Noma

Anthony Joseph De Noma #308-836
Complainant-Plaintiff-Petitioner, Pro Se
Indigent prisoner of the State
15802 State Rt. 104 North
P.O. Box 5500 Chillicothe Correction Instituted
Chillicothe, Ohio 45601-5500
telephone (740) 774-7080

IN THE COURT OF Common Pleas
HAMILTON COUNTY, OHIO

Anthony J. DeNoma
Petitioner, in pro se,

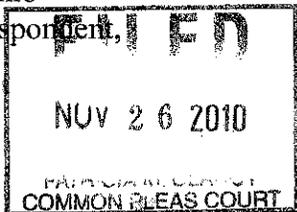
Case No. SP0800368

Judge Ralph E. Winkler

vs.

State of Ohio

Respondent.



MOTION for judgment vacating erroneous both 10-29-2008 judgments attempting to subjugate Petitioner to further state custody under subsequently enacted (1997 Megan's Law), affirmative compulsory sex offender registration-dissemination requirements. And reinstatement of Petitioner's former law remedy instituted by final judgment prior to 1996. See Revised Code Sections 1.01, 1.58, 2921.52, 2941.13, 2943.09, 2967.16, State v. Bodyke, 2010-Ohio-2424, 2010 WL 2219064 at ¶¶55-56.

Now comes petitioner Anthony J. DeNoma, asserting that his former remedy instituted by final judgment under law prior to 1996 can in no way be affected by subsequently enacted laws. Revised Code Sections 1.01, and 1.58 establish that :

§ 1.01 The enactment of the Revised Code shall not be construed to affect a right or liability accrued or incurred under any section of the General Code prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability . . . for such purpose, any such section of the General code shall continue in full force notwithstanding its repeal for the purpose of revision.

§ 1.58 (A) The enactment, amendment, repeal of a statute does not, . . .

(1) Affect the prior operation of the statute or any prior action taken thereunder; . . .

Furthermore "It is well settled that a legislature cannot enact laws that revisit a final judgment. We have held for over a century that the legislature cannot annul, reverse, or modify a judgment of a court already rendered * * * Judicial jurisdiction implies the power to hear and determine a cause, and Congress cannot subject the judgments of the Supreme Court to the re-examination and revision of any other tribunal or any other department of the government. * * * As the Supreme Court of California recently explained, 'judgments cannot be deprived of their 'finality' through statutory conditions not in effect when the judicial branch gave its 'last word' in the particular case,' regardless of the policy behind the legislation. * * * A judgment which is final by the laws existing when it is rendered cannot constitutionally be made subject to review by a statute subsequently enacted * * * A legislature without exceeding its province cannot reverse a determination once made, in a particular case. The reclassification provisions violate these bedrock principles. * * * There is no exception to the rule that the final judgments may not be legislatively annulled in situations where the Legislature has enacted new legislation." State v. Bodyke, 2010-Ohio-2424, 2010 WL 2219064 see paragraphs ¶¶55-56. (internal citations omitted). See Following attached Supporting Memorandum Affidavit.

Respectfully submitted

Anthony J. DeNoma

Anthony J. DeNoma #308-836

15802 State Rt. 104 North; P.O. Box 5500 C.C.I.,
Chillicothe, Ohio 45601-5500; telephone (740) 774-7080

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IN THE STATE OF OHIO:

SS: AFFIDAVIT OF ANTHONY J. DE NOMA

COUNTY OF HOCKING:

I Anthony J. De Noma, Plaintiff-Appellant, and affiant herein, referred to as DeNoma, first being duly cautioned of the penalty of perjury, do hereby charge Defendant-Appellees Joseph T. Deters, Patrick X. Dressing, and Simon L. Leis Jr., et al., with conspiracy and complicity in multiple felony and misdemeanor violations of law, averring that the same each with over 20 years in office, together by their collective powerful influence, instill fear and cowardice in their subordinates, other practicing attorneys, judges, and citizens alike, conducting sham legal process in a pattern of organized corrupt activity to interfere with and effectively deprive DeNoma of his civil rights, property, liberty, rehabilitation, repute, family support, employment opportunities, and business interests, by Ex Post Facto, Double jeopardy malicious prosecution, subjecting DeNoma to unconstitutional attainder cruel and unusual punishments under **R.C. § 2971.01** Violent Sexual Predator Sentencing Specifications by October 28-29, 2008, ENTRIES in *Case No. SP 0800368*, for which DeNoma has been deprived of any appeal of right, unable to obtain assistance of counsel, and unable to get a fair hearing in Hamilton County for his cause in *Case No. A 1001030*, as evidenced by self recusals of 2 Common Pleas Judges prior to assignment of Judge Norbert A. Nadel, and self recusals of 4 of 6 Judges of the Court of Appeals. [*As demonstrated in the following Memorandum in Support and Appendix Exhibits of Affidavits, letters, and other official documents*].

The law of this case is determined by stare decisis final judgment under laws existing prior to 1996, in **State v. Anthony J. De Noma, (1995), Case No. B 9502232, Hamilton County Common Pleas**. With the subsequent 1996 adoption of House Bill 180 Megans Law effective in 1997, “The General Assembly stated [*only*] that a person who is found to be a sexual predator or a habitual sex offender has a reduced expectation of privacy . . . “Thus, the test in Hendricks embodies the same components (prior conviction and a predisposition to commit future sex offenses) as the prerequisite requirement for registration under R.C. Chapter 2950.” **State v. Cook, 1998-Ohio-291, 83 Ohio St.3d 404, 406, 407, 408, 410-411, 422-423, 700 N.E.2d 570, 574, 575, 577, 585.**

Revised Code Section 2950.09 effective immediately prior to January 1, 2008, stated:

(3) The changes made in divisions (C)(1) and (2) of this section that take effect on July 31, 2003, do not require a court to conduct a new hearing under those divisions for any offender regarding a sexually oriented offense if, . . . prior to July 31, 2003, and pursuant to those divisions, the department of rehabilitation and correction recommended that the offender be adjudicated a sexual predator regarding that offense, and the court denied the recommendation and determined that the offender was not a sexual predator without a hearing.

MEMORANDUM IN SUPPORT

Public dissemination of a persons name, residential property address, and other information on the sex offender registry constitutes irreparable harm,¹ inducing panic in the community, and creates a substantial risk of physical and property injury by inciting to violence. Pursuant to former 2007 Senate Bill 10 (S.B.10), Adam Walsh Act R.C. § 2950.11(F)(2), if a person previously would not have been subject to community notification, then neither could he be subsequently subject to community notification under the new laws.²

The State of Iowa determined that it was an unconstitutional violation of Ex Post Facto to deprive old law prisoners of their case law entitlement to earn a deduction from their sentence.³ A California Appeals Court determined that deprivation of a prisoners deduction of his sentence constituted false imprisonment, and therefore the state forfeited its qualified immunity.⁴ And the Federal Appeals Court in California determined that false imprisonment by government officials qualified as an injury against a persons property, liberty, employment and business interests, and for relief under the Federal organizational corrupt activity RICO, Act, 18 U.S.C. 1961, 1962, and 1964.⁵ In Ohio Case law remedy of final judgments can not be changed or otherwise altered in any way.⁶

Ohio Revised Code states:

§ 1.01 "Revised Code";

The enactment of the Revised Code shall not be construed to affect a right or liability accrued or incurred under any section of the General Code prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. . . . For such purposes, any such section of the General Code shall continue in full force notwithstanding its repeal for the purpose of revision.

§ 1.42 Common and technical usage;

Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by legislative definition or otherwise, shall be construed accordingly.

§ 1.58 Effect of reenactment, amendment, or repeal of statute on existing conditions;

(A) The reenactment, amendment, or repeal of a statute does not, . . . (1) Affect the prior operation of the statute or any prior action taken thereunder

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- 1 Doe v. Pataki, (1996), F.Supp. 696, 698, 700-701, 702, Doe v. Pataki, 940 F.Supp. At 608-611, Doe v. Pataki, (1998), 3 F.Supp.2d 456, 467, 468, 475.
 - 2 State v. Clay, 2008-Ohio-2980, 177 Ohio App.3d 78, 893 N.E.2d 909, Gildersleeve v. State, 2009-Ohio-2031 at ¶73-77, State v. Cook, 1998-Ohio-291, 83 Ohio St.3d 404, 700 N.E.2d 570, In re Sex Offender Reclassification Cases, 2010-Ohio-3753, 126 Ohio St.3d 322, 933 N.E.2d 801 {¶ 15, 27}.
 - 3 State v. Iowa District Court for Henery County, (2009), 759 N.W.2d 793, citing and following Weaver v. Graham, (1981), 450 U.S. 24, 101 S.Ct. 960.
 - 4 Gallegos v. State of California, Cal.App.1st Dist., 2008 LEXIS 3230.
 - 5 Diaz v. Gates, (2005), C.A.9 (Cal.), 420 F.3d 897.
 - 6 State v. Bodyke, 2010-Ohio-2424, 126 Ohio St.3d 266, following Gompf v. Wolfinger, (1902),67 Ohio St. 144, 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, Van Fossen v. Babcock, (1998), 36 Ohio St.3d 100, 104-105, 522 N.E.2d 489, 494-495.

Prior final judgment in State v. Anthony J. De Noma, Case No. B 9502232, Hamilton County Common Pleas, establishes the stare decisis Case law remedy under former Ohio Revised Code prior to 1996:

§ 2950.04 Release of habitual sex offender;

Any habitual sex offender as defined by section 2950.01 of the Revised Code who is released on probation, or discharged upon payment of a fine, or given a suspended sentence, shall prior to such release, discharge, or suspension be informed of his duty to register . . .

§ 2950.08 Public inspection of registration data prohibited;

The statements, photographs, and fingerprints required by section 2950.07 of the Revised Code, shall not be open to inspection by the public or any person other than the following:

- (A) A regularly employed peace or other law enforcement officer;
- (B) An authorized employee of the bureau of criminal identification and investigation for the purpose of providing information to a board or person pursuant to division (F) of section 109.57 of the Revised Code.

§ 2950.99 Penalties;

Whoever violates sections 2950.01 to 2950.08 of the Revised Code, is guilty of a misdemeanor of the first degree, on a first offense; on each subsequent offense such person is guilty of a felony of the fourth degree.

§ 2967.19 Deduction from sentence for faithful observance of rules;

(A) . . .any person confined in a state correctional institution is entitled to a deduction from his minimum or definite sentence of thirty percent of the sentence . . .

(E) . . .After a prorated diminution has been credited for a given month, it shall not be reduced or forfeited for any reason.

§ 2967.193 Deduction from sentence for participation in rehabilitation programs;

(A) . . .any person confined in a state correctional institution is entitled to earn days of credit as a deduction from his minimum or definite sentence . . .

(C) . . .after those days have been awarded, they shall not be reduced or forfeited for any reason.

§ 2967.021 Effect of amendments to chapter;

(A) Chapter 2967. of the Revised Code, as it existed prior to July 1, 1996, applies to a person upon whom a court imposed a term of imprisonment prior to July 1, 1996, and a person upon whom a court, on or after July 1, 1996, and in accordance with law existing prior to July 1, 1996, imposed a term of imprisonment for an offense that was committed prior to July 1, 1996.

The 2007 Senate Bill 10 (S.B.10) Adam Walsh Act effective January 1, 2008,

Ohio Revised Code Sections 2950.04 and 2950.111 stated:

§ 2950.04 Manner of registration;

(A)(1)(a) Immediately after a sentencing hearing is held on or after January 1, 2008, for an offender who is convicted of or pleads guilty to a sexually oriented offense and is sentenced to a prison term, a term of imprisonment, or any other type of confinement and before the offender is transferred to the custody of the department of rehabilitation and correction or to the official in charge of the jail, workhouse, state correctional institution, or other institution where the offender will be confined, the offender shall register personally with the sheriff, or the sheriff's designee,

§ 2950.111 Sheriff or designee may request confirmation of offender's address;

(A)(1) At any time after the registration, provision of notice, or verification, the sheriff with whom the offender or delinquent child so registered . . . may contact a person who owns, leases, or otherwise has custody, control, or supervision of the premises at the address provided by the offender. . .

Despite the indisputable facts that DeNoma is neither a habitual sex offender nor a sexual predator pursuant to conjunctive ENTRIES of August 12, 1997, and October 5, 2001, in **Case No. B 9502232**, Defendant-Appellee's conducted malicious prosecution, instituting double jeopardy proceedings against DeNoma, with expressed intent and purpose to subject him to community notification by having him labeled as a sexual predator, abducting DeNoma on August 25, 2008, from his Ross County medium security residence, and unlawfully restraining him for 72 days in the maximum security Hamilton County Justice Center, and with wantonness colluded in use of sham legal process, corrupt activity, while they had DeNoma in their custody, without his knowledge, tampering with records, forging and falsifying DeNoma's personal registration information, causing irreparable harm, inducing panic, inciting violence, and endangering DeNoma's elderly parents, without any verification, egregiously posting disseminating their name and residential property address on the public interstate electronic Sex Offender Registration Notification Internet website, causing irreparable harm, economic loss and substantial injury to DeNoma's name, property, liberty, and business and employment opportunities. And despite the fact that Defendant-Appellees failed to label DeNoma as a sexual predator, they continued to deprive DeNoma of his civil right Case law remedy by two ENTRIES of October 28-29, 2008, in **Case No. SP 0800368**, effectively reclassifying DeNoma under **R.C. § 2971.01** the Ex Post Facto Violent Sexual Predator Sentencing Specifications, causing DeNoma to be subject to the 25 year maximum sentence day for day, deprived of his entitled right to earn a substantive deduction from his sentence.

Furthermore, by ENTRY of September 6, 2011, in **Case No. A-1001030**, Defendant-Appellees continue to deprive DeNoma of his civil right liberty interest, subjecting DeNoma to burdens, duties, obligations, disabilities, an liabilities of sex offender registration and concomitant public notification not existing when DeNoma's offenses occurred.

Ohio Law, **Revised Code** states:

§ 2901.04 Rules of construction;

(A) Sections of the Revised Code defining offenses or penalties shall be strictly construed against the state, and liberally construed in favor of the accused.

§ 2941.12 Pleading a statute;

In pleading a statute or right derived therefrom it is sufficient to refer to the statute by its title, or in any other manner which identifies the statute. The court must thereupon take judicial notice of such statute.

§ 2941.13 Pleading a judgment;

In pleading a judgment or other determination of, or a proceeding before, any court or officer, civil or military, it is not necessary to allege the fact conferring jurisdiction on such court or officer. It is sufficient to allege generally that such judgment or determination was given or made or such proceedings had.

Judges of the courts of law have the constitutional and lawful duty to: ensure equal protection of Due Process of the laws; ensure equity, that, that which is available to others at a price, is available for the defense of the indigent and prisoners, and to administer justice with fairness, and impartiality without fear.⁷ Therefore, DeNoma is entitled to a change of venue to Franklin County, and to the involvement of the Ohio Attorney General pursuant to **R.C. § 109.83** and **§ 2923.34(D)**.

DeNoma is entitled to relief and redress of Due Process of Law under **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, 109.83, 109.84, 109.87, 2305.07, 2305.09, 2305.11, 2307.60(A)(1), 2315.18, 2315.21, 2901.04(A), 2901.24, 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, former 2950.09(C)(1)(3) effective immediately prior to January 1, 2008, [former Adam Walsh Act 2950.011, 2950.031(E), 2950.04(A), 2950.111], 2950.12(B), 2967.021, 5120.021, and 5120.44.**⁸

DeNoma is entitled to immediate relief from effects of Ex Post Facto malicious prosecution action; punitive and exemplary damages; and triple compensation for economic loss from injury to property, liberty, business interests and employment opportunities, with interest compounded daily, due to false imprisonment beyond his case law 10 year prison term reduced by earned one third deduction; complete immediate restoration of his case law remedy legal status of first time offender registration exemption, and entitlement to earn a substantive one third deduction from his sentence, with his complete immediate and final release from his sentence with all rights forfeited by his conviction restored pursuant to **R.C. § 2967.16** prior to 1996.

To dismiss DeNoma's cause would be denying him any right of substantive appeal "ab initio," denying DeNoma substantive access to the courts, equal protection, substantive and procedural Due process of Law, acquiescing to manifest injustice, effectively subjecting DeNoma and his family members to unconstitutional attainder and cruel and unusual punishments, an act of willful actual gross neglect of duty and collaboration in depriving DeNoma of his civil rights.

⁷ State v. Eppinger, 91 Ohio St.3d at 163, Daughtery v. Wallace, 621 N.E.2d 1374, 1375, 1380 at [3], Britt v. North Carolina, 404 U.S. 226, 227, 92 S.Ct. 431, Estelle v. Gamble, 429 U.S. 97, 103-104, 97 S.Ct. At 290-291 DeShaney, 489 U.S. at 199-200, 109 S.Ct. at 1005-1006,

Giles v. Tate, (1995), U.S. Dist., S.D. Ohio Western Division, 907 F.Supp. 1135 [4][5][6],

Johnson v. Hendricks, 314 F.3d 159, 160, 162 at [2][3], Schlueter v. Varner, 384 F.3d 69, 77.

⁸ State v. Palmer, 2012-Ohio-580, 2012 Ohio LEXIS 403 [¶ 16-17], State v. Moss, Ohio App.5 Dist., 2003 WL 2267018, Hains v. Kerner, (1972), 404 U.S. 519, 520-521, 92 S.Ct. 594, 595-596.

Revised Code § 1.47 Intentions in the enactment of statutes; states:

In enacting a statute, it is presumed that: (A) Compliance with the constitutions of the state and of the United States is intended; (B) The entire statute is intended to be effective; (C) A just and reasonable result is intended; (D) A result feasible of execution is intended.

“The General Assembly declared that sexual predators and habitual sex offenders pose a high risk of engaging in further offenses even after being released from imprisonment, a prison term, or other confinement . . . R.C. 2950.02(A)(2). Finally, the General Assembly stated *[only]* that a person who is found to be a sexual predator or a habitual sex offender has a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. R.C. 2950.02(A)(5). . . . “Thus, the test in Hendricks embodies the same components (prior conviction and a predisposition to commit future sex offenses) as the prerequisite requirements for registration under R.C. Chapter 2950.” **State v. Cook, 1998-Ohio-291, 83 Ohio St.3d 404, 406, 407, 408, 410-411, 422-423, 700 N.E.2d 570, 574, 575, 577, 585.**

“Taylor and Wilson do not fit into any of these categories . . . “They were not, prior to July 1, 1997, habitual sex offenders who were required to register. R.C. 2950.04(A)(1)(c). Accordingly we conclude that, even though Taylor and Wilson have been adjudicated to be sexual predators, R.C. 2950.04 does not require them to register as such. . . . “ This conclusion is consistent with our decision in Bellmen, where we stated that although Bellman is properly adjudicated a sexual predator under the new law, he has no duty to register because he does not fit within the plain language of R.C. 2950.04 describing categories of compulsory registrants. Id., 86 Ohio St.3d at 212, 714 N.E.2d 381. The reasoning behind Bellmen applies with equal force in this case: adjudication as a sexual predator is distinct from the duty to register. . . . “We conclude that Taylor and Wilson are not required to register as sexual predators under R.C. 2950.04. . . . “ Regardless of how this court should interpret the duty of the Department of Rehabilitation and Correction, R.C. 2950.09 addresses classification only; it does not command registration of an offender that was found to be a sexual predator. . . . “This court's primary goal when interpreting a statute is to effectuate legislative intent. Carter v. Youngstown Div. Of Water (1946), 146 Ohio St. 203, 32 O.O. 148, 65 N.E.2d 63, paragraph one of the syllabus. Where this intent is unclear, our interpretation is guided by myriad rules of statutory construction. **State v. Taylor, 2003-Ohio-5452, 100 Ohio St.3d 172, 173, 174, 175, 797 N.E.2d 504, 505, 506, 507.**

To retroactively implement **R.C. 2971.01** as Defendant-Appellees did against DeNoma, in Case No. SP 0800368, is an egregious Ex Post Facto violation against both the United States and Ohio Constitutions and the Ohio Revised Code, see **State v. Smith, 2004-Ohio-6238, 104 Ohio St.3d 106-113, 818 N.E.2d 283-289, ¶ 8.**

“The ex post facto prohibition also upholds the separation of powers by confining the legislature to penal decisions with prospective effect and the judiciary and executive to applications of existing penal law. Weaver v. Graham, (1981), 450 U.S. 24, 29-30, 101 S.Ct. 960, 964-965.

“A prisoner's eligibility for reduced imprisonment is a significant factor entering into both the defendant's decision to plea bargain and the judge's calculation of the sentence to be imposed. Wolf v. McDonnell, 418 U.S. 539, 557, 94 S.Ct. 2963, 2975. . . . “In Lindsey v. Washington, supra, 301 U.S. at 401-402, 57 S.Ct. at 799 we reasoned that ‘It is plainly to the substantial disadvantage of petitioners to be deprived of all opportunity to receive a sentence which would give them freedom from custody’” Weaver, Supra, 450 U.S. 24, 32, 33, 101 S.Ct. 960, 966, 967.

“An agency regulation which is legislative in nature is encompassed by this prohibition because a legislative body cannot escape the Constitutional constraints on its power by delegating its law making function to an agency.” . . . “An agency's statement that an amendment is nothing more than a clarification can not be accepted as conclusive because such a result would enable the agency to make substantive changes in the guise of clarification.” Smith v. Scott, (2000), 223 F.3d 1191 citing and following both Lynce v. Mathis, (1997), 519 U.S. 433, 117 S.Ct. 891 and Weaver v. Graham, 450 U.S. 24, 101 S.Ct. 960.

“Retroactive application of parole provisions falls within the ex post facto prohibition if such an application creates a sufficient risk of increasing the measure of punishment” Dyer v. Bowlen, (2006), 465 F.3d 280.

§ 2950.09 (C) effective immediately prior to January 1, 2008; states:

(3) The changes made in divisions (C)(1) and (2) of this section that take effect on July 31, 2003, do not require a court to conduct a new hearing under those divisions for any offender regarding a sexually oriented offense if, . . . prior to July 31, 2003, and pursuant to those divisions, the department of rehabilitation and correction recommended that the offender be adjudicated a sexual predator regarding that offense, and the court denied the recommendation and determined that the the offender was not a sexual predator without a hearing,

“Under the constitutional prohibition the general assembly has no power to pass retroactive laws. Article 2, § 28. Every statute which takes away or impairs vested rights acquired under existing laws, or creates a new obligation, imposes a new duty, or attaches a new disability, in respect to transactions or considerations already past, must be deemed retrospective or retroactive. . . . “A law can be repealed by the law-giver; but the rights which have been acquired under it while it was in force do not thereby cease. It would be an act of absolute injustice to abolish with a law the effects which it had produced. City of Cincinnati v. Seanson, (1889), 46 Ohio St. 296, 303, 21 N.E. 630, 633.

“The question turns upon the force and effect to be given to that provision of the constitution which

says, "The general assembly shall have no power to pass retroactive laws. Article 2, § 28. This provision is in the nature of an estoppel. The general assembly having the power to enact laws, and, on the one hand, having failed to do so, and permitted persons to conduct their affairs with reference thereto, or, on the other, having enacted laws with certain limitations, and persons having conformed their conduct and affairs to such state of the law, the general assembly is prohibited-estopped-from passing new laws to reach back and create new burdens, new duties, new obligations, or new liabilities not existing at the time."⁹

"When will be the end of strife if not when a judgment is rendered which is final by the laws then existing? A judgment final when rendered is representative of property in its highest form, for there remains no condition or contingency to affect the vested right of the prevailing party . . . rights which are so determined and established that it is not within the function of legislation to disturb them. . . . there can be no higher title to any right or interest whatever than that which arises from a regular judgment of law. . . . That the conclusions are uniform upon the proposition that a judgment which is final by the statutes existing when it is rendered is an end to the controversy will occasion no surprise to those who have reflected upon the distribution of powers in such governments as ours, and have observed the uniform requirement that legislation to affect remedies by which rights are enforced must precede their final adjudication."¹⁰

"In the Hathway Case, 4 Ohio St. 383, the court says, on page 385: . . . 'The language of a statute must be taken in its usual and ordinary signification, and a court is not allowed to make an interpretation contrary to the plain and express letter of the law. Where the sense of a statute is evident, and expressed in clear and precise terms, no leading to conclusions which are absurd and at war with the manifest intention of the law, to go off upon a conjecture, and travel in quest of extraneous matters, in order to restrict or enlarge its operation, would be a dangerous and gross perversion of the law itself.' In the case of Woodbury v. Berry, 18 Ohio St. 456, this court held: 'Where the words of a statute are plain, explicit, and unequivocal, a court is not warranted in departing from their obvious meaning, although from considerations arising outside of the language of the statute it may be convinced that the legislature intended to enact something different from what it did in fact enact.'¹¹

9 Miller v. Hixson, 64 Ohio St. 39, 50-51, 59 N.E. 749, 752, see also State v. Williams, 2011-Ohio-3374, 129 Ohio St.3d 344, 952 N.E.2d 1108 at ¶¶ 8, 9, 14, 19, 21, following Van Fossen, 36 Ohio St.3d at 106, 522 N.E.2d at 496.

10 Gompf v. Wolfinger, (1902), 67 Ohio St. 144, 151, 152-153, followed in State v. Bodyke, 2010-Ohio-2424, 126 Ohio St3d 266, 933 N.E.2d 753.

11 Hough v. Dayton Mfg. Co., (1902), 66 Ohio St. 427, 64 N.E. 521, 524.

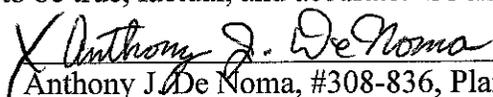
CONCLUSION

DeNoma is entitled to inalienable equal protection rights of Constitutional and Civil liberties under substantive Due Process of the Laws, Constitutional Separation of Powers Doctrine, prohibition against Attainder, Cruel and Unusual Punishment, Double Jeopardy, and Retroactive Ex Post Facto laws.

DeNoma is entitled to meaningful access to the courts, and 'de novo' *certiorari* review 'ab initio,' and just compensation for from malicious use of sham legal process deprivation of case law remedy legal status entitlements.

CERTIFICATE OF VERIFICATION

I, Anthony J. De Noma, affiant herein, being first duly cautioned of the penalty of perjury, do hereby solemnly declare all statements and information of this MOTION affidavit, documents incorporated and appended hereto, to be true, factual, and accurate. **So Help me GOD !**



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

Taken, sworn, and subscribed before me, a Notary Public, on this 1 day of October, 2012.

My commission expires 7-2-15

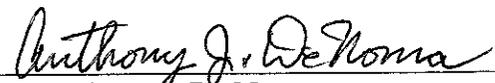


Corrina Dicken
Notary Public

Notary Public, State of Ohio
My Commission Expires 7-2-15
Commission Recorded in Athen

CERTIFICATE OF SERVICE

I, certify that on this 1 day of October, 2012, a true copy of this complete MOTION has been deposited in the Hocking Correctional Facility inside mail room, with prepayment of required U.S. Postage, in a sealed envelope addressed to counsel for each Defendant-Appellee: Charles W. Anness, 230 East Ninth Street, Suite 4000, Cincinnati, Ohio 45202-2174; and Ohio Attorney General Mike DeWine at 30 East Broad Street, 17th Floor, Columbus, Ohio 43215.



Anthony J. De Noma

Pursuant to Ohio Revised Code Sections 1.01, 1.11, 1.15, 1.47, 1.49, 1.51, 1.53, 1.54 state:

§ 1.01 . . . The enactment of the Revised Code shall not be construed to affect a right or liability accrued or incurred under any section of the General Code prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any section of the General Code, nor to affect an indictment or prosecution therefor. For such purposes, any such section of the General Code shall continue in full force notwithstanding its repeal for the purpose of revision.

§ 1.11 Remedial laws and all proceedings under them shall be liberally construed in order to promote their object and assist the parties in obtaining justice. The rule of the common law that statutes in derogation of the common law must be strictly construed has no application to remedial laws; but this section does not require a liberal construction of laws affecting personal liberty, relating to amercement, or of a penal nature.

§ 1.15 When an act is to take effect or become operative from and after a day named, no part of that day shall be included. If priority of legal rights depends upon the order of events on the same day, such priority shall be determined by the times in the at which they respectively occurred.

§ 1.47 In enacting a statute, it is presumed that: (A) Compliance with the constitutions of the state and of the United States is intended; (B) The entire statute is intended to be effective; (C) A just and reasonable result is intended; (D) A result feasible of execution is intended.

§ 1.49 If a statute is ambiguous, the court, in determining the intention of the legislature, may consider among other matters: (A) The object sought to be attained; (B) The circumstances under which the statute was enacted; (C) The legislative history; (D) The common law or former statutory provisions, including laws upon the same or similar subjects; (E) The consequences of a particular construction; (F) The administrative construction of the statute.

§ 1.51 If a general provision conflicts with a special or local provision, they shall be construed, if possible, so that effect is given to both. If the conflict between the provisions is irreconcilable, the special or local provision prevails as an exception to the general provision, unless the general provision is the later adoption and the manifest intent is that the general provision prevail.

§ 1.53 If the language of the enrolled act deposited with the secretary of the state, including any code section number designated pursuant to section 103.131 [103.13.1] of the Revised Code, conflicts with the language of any subsequent printing or reprinting of the statute, the language and any such designated section number of the enrolled act prevails.

§ 1.54 A statute which is reenacted or amended is intended to be a continuation of the prior statute and not a new enactment, so far as it is the same as the prior statute.

Amendments V. and XIV. § 1, of the United States Constitution states:

“No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

18 U.S.C. § 242 states:

“Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, . . . shall be fined under this title or imprisoned not more than one year, or both”

Ohio Revised Code Sections 1.42, 2941.12, and 2921.52, require judicial notice of the letter, spirit, manifest intent, and purpose of the substantive process of law, thereby establishing both civil and criminal liability for manifest disregard, and use of sham legal process.

§ 3.22 states: Each person chosen or appointed to an office under the constitution or laws of this state, and each deputy or clerk of such officer, shall take an oath of office before entering upon the discharge of his duties.

§ 3.23 states: The oath of office of each judge of a court of record shall be to support the constitution of the United States and the constitution of this state, to administer justice without respect to persons, and faithfully and impartially to discharge and preform all the duties incumbent on the person as such judge, according to the best of the person's ability and understanding. The oath of office of every other officer, deputy, or clerk shall be to support the constitution of the United States and the constitution of this state and faithfully to discharge the duties of the office.

§ 2903.22 Menacing; states: (A) No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of the other person, the person's unborn, or a member of the other person's immediate family.

§ 2905.02 Abduction; states: (A) No person, without privilege to do so, shall knowingly do any of the following: (1) By force or threat, remove another from the place where the other person is found; (2) By force or threat, restrain the liberty of another, under circumstances which create a risk of physical harm to the victim, or place the other person in fear; (3) Hold another in a condition of involuntary servitude. (B) Whoever violates this section is guilty of abduction, a felony of the third degree.

§ 2905.03 Unlawful restraint; states: (A) No person without privilege to do so, shall knowingly restrain another of his liberty.

§ 2905.11 Extortion; states: (A) No person, with purpose to obtain any valuable thing or valuable benefit or to induce another to do an unlawful act, shall do any of the following: (1) Threaten to commit any felony; (3) Violate section 2903.21 or 2903.22 of the Revised Code; (4) Utter or threaten any calumny against any person; (5) Expose or threaten to expose any matter tending to subject any person to hatred, contempt, or ridicule, or to damage any person's personal or business repute, or to impair any person's credit. (B) Whoever violates this section is guilty of extortion, a felony of the third degree. (C) As used in this section, “threat” includes a direct threat and a threat by innuendo.

§ 2905.12 Coercion; states: (A) No person, with purpose to coerce another into taking or refraining from action concerning which the other person has a legal freedom of choice, shall do any of the following: (1) Threaten to commit any offense; (2) Utter or threaten any calumny against any person; (3) Expose or threaten to expose any matter tending to subject any person to hatred, contempt, or ridicule, to damage any person's personal or business repute, or to impair any person's credit; (4) Institute or threaten criminal proceedings against any person; (5) Take, withhold, or threaten to take or withhold official action, or cause or threaten to cause official action to be taken or withheld. (D) Whoever violates this section is guilty of coercion, a misdemeanor of the second degree. (E) As used in this section: (1) "Threat" includes a direct threat and a threat by innuendo.

§ 2909.06 Criminal damaging or endangering; (A) No person shall cause, or create a substantial risk of physical harm to any property of another without the other person's consent: (1) Knowingly by any means;

§ 2909.07 Criminal mischief; (A) No person shall: (1) without privilege to do so, knowingly move, deface, damage, destroy, or otherwise improperly tamper with the property of another; (C)(2)(a) If the violation creates a risk of physical harm to any person, except as otherwise provided in division (C)(2)(b) of this section, criminal mischief committed in violation of division (A)(1),(2),(3),(4), or (5) of this section is a felony of the fifth degree.

§ 2913.04 Unauthorized use of property; computer, cable, or telecommunication property or service. (A) No person shall knowingly use or operate the property of another without the consent of the owner or person authorized to give consent. (C) No person shall knowingly gain access to, attempt to gain access to, cause access to be granted to, or disseminate information gained from access to the law enforcement automated database system created pursuant to section 5503.10 of the Revised Code without the consent of, or beyond the scope of the expressed or implied consent of, the chair of the law enforcement automated data system steering committee. (G) Whoever violates division (C) of this section is guilty of unauthorized use of the law enforcement automated database system, a felony of the fifth degree.

§ 2913.31 Forgery; (A) No person, with purpose to defraud, or knowing that the person is facilitating a fraud, shall do any of the following: (1) Forge any writing of another without the other person's authority; (2) Forge any writing so that it purports to be genuine when it actually is spurious, or to be the act of another who did not authorize that act, or to have been executed at a time or place or with terms different from what in fact was the case, or to be a copy of an original when no such original existed; (3) Utter, or possess with purpose to utter, any writing that the person knows to have been forged. (C)(1)(a) Whoever violates division (A) of this section is guilty of forgery. (b) Except as otherwise provided in this division or division (C)(1)(c) of this section, forgery is a felony of the fifth degree.

§ 2913.42 Tampering with records; (A) No person, Knowing the person has no privilege to do so, and with purpose to defraud or knowing that the person is facilitating a fraud, shall do any of the following: (1) Falsify, destroy, remove, conceal, alter, deface, or mutilate any writing, computer software, data, or record; (2) Utter any writing or record, knowing it to have been tampered with as provided in division (A)(1) of this section. (B)(1) Whoever violates this section is guilty of tampering with records. (4) If the writing data, computer software, or record is kept by or belongs to a local, state, or federal government entity, a felony of the third degree.

§ 2917.01 Inciting to violence; (A) No person shall knowingly engage in conduct designed to urge or incite another to commit any offense of violence, when either of the following apply: (1) The conduct takes place under circumstances that create a clear and present danger that any offense of violence will be committed; (B) Whoever violates this section is guilty of inciting to violence. If the offense of violence that the other person is being urged or incited to commit is a felony, inciting to violence is a felony of the third degree.

§ 2917.31 Inducing panic; (A) No person shall cause the evacuation of any public place, or otherwise cause serious public inconvenience or alarm, by doing any of the following: (3) Committing any offense, with reckless disregard of the likelihood that its commission will cause serious public inconvenience or alarm. (C)(4) Except as otherwise provided in division (C)(5),(6),(7),(8), or (9) of this section, if a violation of this section results in economic harm, the penalty shall be determined as follows: (a) If the violation results in economic harm of five hundred dollars or more but less than five thousand dollars and if division (C)(3) of this section does not apply, inducing panic is a felony of the fifth degree. (b) If the violation results in economic harm of five thousand dollars or more but less than one hundred thousand dollars, inducing panic is a felony of the fourth degree. (c) If the violation results in economic harm of one hundred thousand dollars or more, inducing panic is a felony of the third degree.

§ 2921.03 Intimidation (A) No person, knowing and by force, by unlawful threat of harm to any person or property, or by filing, recording, or otherwise using a materially false or fraudulent writing with malicious purpose, in bad faith, or in a wanton or reckless manner, shall attempt to influence, intimidate, or hinder a public servant, party official, or witness in the discharge of the person's duty. (B) Whoever violates this section is guilty of intimidation, a felony of the third degree. (C) A person who violates this section is liable in a civil action to any person harmed by the violation.

§ 2921.04 Intimidation of crime victim or witness; (A) No person shall knowingly attempt to intimidate or hinder the victim of a crime in the filing or prosecution of criminal charges or a witness involved in a criminal action or proceeding in the discharge of the duties of the witness. (B) No person, knowingly and by force or by unlawful threat of harm to any person or property, shall attempt to influence, intimidate, or hinder the victim of a crime in the filing or prosecution of criminal charges or or an attorney or witness involved in a criminal action or proceeding in the discharge of the duties of the attorney or witness. (D) Whoever violates this section is guilty of intimidation of an attorney, victim, or witness in a criminal case. A violation of division (A) of this section is a misdemeanor of the first degree. A violation of division (B) of this section is a felony of the third degree.

§ 2921.05 Retaliation; (A) No person, purposely and by force or by unlawful threat of harm to any person or property, shall retaliate against a public servant, a party official, or an attorney or witness who was involved in a civil or criminal action or proceeding because the public servant, party official, attorney, or witness discharged the duties of the public servant, party official, attorney, or witness. (B) No person, purposely and by force or by unlawful threat of harm to any person or property, shall retaliate against the victim of a crime because the victim filed or prosecuted criminal charges. (C) Whoever violates this section is guilty of retaliation, a felony of the third degree.

§ 2921.13 Falsification; (A) No person shall knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made, when any of the following applies: (1) The statement is made in any official proceeding.

(2) The statement is made with purpose to incriminate another. (3) The statement is made with purpose to mislead a public official in performing the public official's official function. (4) The statement is made with purpose to secure . . . prevention, retention, and contingency benefits and services . . . or other benefits administered by a government agency or paid out of a public treasury. (5) The statement is made with purpose to secure the issuance by a government agency of a license, permit, authorization, certificate, registration, release, or provider agreement. (7) The statement is in writing or in connection with a report or return that is required or authorized by law. (8) The statement is in writing and is made with purpose to induce another to . . . employ the offender, to confer . . . honor on the offender, or to extend or bestow upon the offender any other valuable benefit or distinction, when the person to whom the statement is directed relies upon it to that person's detriment. (11) The statement is made on an account, form, record, stamp, label, or other writing that is required by law. (13) The statement is made in a document or instrument of writing that purports to be a judgment, . . . and is filed or recorded with the secretary of state, a county recorder, or the clerk of a court of record.

(E) If contradictory statements relating to the same fact are made by the offender within the period of the statute of limitations for falsification, it is not necessary for the prosecution to prove which statement was false but only that one or the other was false.

(F)(1) Whoever violates division (A)(1),(2),(3),(4),(5),(6),(7),(8),(10),(11),(13), or (15) of this section is guilty of falsification, a misdemeanor of the first degree.

(G) A person who violates this section is liable in a civil action to any person harmed by the violation for injury, death, or loss to person or property incurred as a result of the commission of the offense and for reasonable attorney's fees, court costs, and other expenses incurred as a result of prosecuting the civil action commenced under this division. A civil action under this division is not the exclusive remedy of a person who incurs injury, death, or loss to person or property as a result of a violation of this section.

§ 2921.22 Failure to report a crime; (A) No person, knowing that a felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities. (I) Whoever violates division (A) or (B) of This section is guilty of failure to report a crime. Violation of division (A) of this section is a misdemeanor of the fourth degree.

§ 2921.31 Obstructing official business; (A) No person, without privilege to do so and with purpose to prevent, obstruct, or delay the performance by a public official of any authorized act within the public official's capacity, shall do any act that hampers or impedes a public official in the performance of the public official's lawful duties.

(B) Whoever violates this section is guilty of obstructing official business. . . .

If a violation of this section creates a risk of physical harm to any person, obstructing official business is a felony of the fifth degree.

§ 2921.44 Dereliction of duty; (B) No law enforcement, ministerial, or judicial officer shall negligently fail to perform a lawful duty in a criminal case or proceeding.

(E) No public servant shall fail to perform a duty expressly imposed by law with respect to the public servant's office, or recklessly do any act expressly forbidden by law with respect to the public servant's office.

§ 2921.45 Interfering with civil rights; (A) No public servant, under color of his office, employment, or authority, shall knowingly deprive, or conspire or attempt to deprive any person of a constitutional or statutory right.

§ 2921.52 Use of sham legal process; (A)(1) “Lawfully issued” means adopted, issued, or rendered in accordance with the United States constitution, the constitution of the state, and the applicable statutes, rules, regulations, and ordinances of the United States, a state, and the political subdivisions of a state. (4) “Sham legal process” means an instrument that meets all of the following conditions: (a) It is not lawfully issued. (b) It purports to do any of the following: (ii) To assert jurisdiction over or determine the legal or equitable status, rights, duties, powers or privileges of any person or property. (c) It is designed to make another person believe that it is lawfully issued. (B) No person shall, knowing the sham legal process to be sham legal process, do any of the following: (1) Knowingly issue, display, deliver, distribute, or otherwise use sham legal process; (2) Knowingly use sham legal process to arrest, detain, search, or seize any person or the property of another person; (3) Knowingly commit or facilitate the commission of an offense, using sham legal process; (4) Knowingly commit a felony by using sham legal process. (D) Whoever violates this section is guilty of using sham legal process. A violation of division (B)(2) or (3) of this section is a misdemeanor of the first degree, except that, if the purpose of a violation of division (B)(3) of this section is to commit or facilitate the commission of a felony, a violation of division (B)(3) of this section is a felony of the fourth degree. A violation of division (B)(4) of this section is a felony of the third degree. (E) A person who violates this section is liable in a civil action to any person harmed by the violation for injury, death, or loss to person or property incurred as a result of the commission of the offense and for reasonable attorney's fees, court costs, and other expenses incurred as a result of prosecuting the civil action commenced under this division. A civil action under this division is not the exclusive remedy of a person who incurs injury, death, or loss to person or property as a result of a violation of this section.

§ 2923.01 Conspiracy; (A) No person, with purpose to commit or to promote or facilitate the commission of . . . engaging in a pattern of corrupt activity, . . . illegally transmitting multiple commercial electronic mail messages or unauthorized access of a computer in violation of section 2923.421 of the Revised Code, . . . shall do either of the following: (1) with another person or persons, plan or aid in planning the commission of any of the specified offenses; (2) Agree with another person or person that one or more of them will engage in conduct that facilitates the commission of any of the specified offenses. (C) When the offender knows or has reasonable cause to believe that a person with whom the offender conspires also has conspired or is conspiring with another to commit the same offense, the offender is guilty of conspiring with that other person, even though the other person's identity may be unknown to the offender. (D) It is no defense to a charge under this section that, in retrospect, commission of the offense that was the object of the conspiracy was impossible under the circumstances. (E) A conspiracy terminates when the offense or offenses that are its objective are committed or when it is abandoned by all conspirators. In the absence of abandonment, it is no defense to a charge under this section that no offense that was the object of the conspiracy was committed. (J) Whoever violates this section is guilty of conspiracy, which is one of the following: (2) A felony of the next lesser degree than the most serious offense that is the object of the conspiracy, when the most serious offense that is the object of the conspiracy is a felony of the first, second, third, or fourth degree;

§ 2923.03 Complicity; (A) No person, acting with the kind of culpability required for the commission of an offense, shall do any of the following: (1) Solicit or procure another to commit the offense;

(2) Aid or abet another in committing the offense; (3) Conspire with another to commit the offense in violation of section 2923.01 of the Revised Code; (4) Cause an innocent or irresponsible person to commit the offense. (C) . . . a person may be convicted of complicity in an attempt to commit an offense in violation of section 2923.02 of the Revised Code. (F) Whoever violates this section is guilty of complicity in the commission of an offense, and shall be prosecuted and punished as if he were a principal offender. A charge of complicity may be stated in terms of this section, or in terms of the principal offense.

§ 2923.31 Corrupt Activity; (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" (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 2903.04, 2905.02, 2905.11, 2913.05, 2921.03, or 2921.04; (c) Any violation of section 2913.02, 2913.31, 2913.42.

§ 2923.32 Engaging in a pattern of corrupt activity; (A)(1) No person employed by, or associated with, any enterprise shall conduct or participate in, directly or indirectly, the affairs of the enterprise through a pattern of corrupt activity or the collection of an unlawful debt. (B)(1) Whoever violates this section is guilty of engaging in a pattern of corrupt activity. Except as otherwise provided in this division, engaging in corrupt activity is a felony of the second degree.

§ 2901.24 Personal accountability for organizational conduct; (A) An officer, agent, or employee of an organization as defined in section 2901.23 of the Revised Code 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; (2) He has primary responsibility to discharge a duty imposed on the organization by law, and such duty is not discharged. (B) When a person is convicted of an offense by reason of this section, he is subject to the same penalty as if he had acted in his own behalf.

§ 3.07 Forfeiture of office for misconduct in office; Any person holding office in this state, or in any municipal corporation, county, or subdivision thereof, coming within the official classification in Section 38 of Article II, Ohio Constitution, who willfully and flagrantly exercises authority or power not authorized by law, refuses or willfully neglects to enforce the law or to perform any official duty imposed upon him by law, or is guilty of neglect of duty, gross immorality, drunkenness, misfeasance, malfeasance, or nonfeasance is guilty of misconduct in office.

§ 309.05 Removal of prosecuting attorney for neglect or misconduct; On complaint, in writing, signed by one or more taxpayers, containing distinct charges and specifications of wanton and willful neglect of duty or gross misconduct in office by the prosecuting attorney, supported by affidavit in the court of common pleas, the court shall assign the complaint for hearing and shall cause reasonable notice of the hearing to be given to the prosecuting attorney of the time fixed by the court for the hearing.

§ 2923.34 Corrupt Activity Civil proceedings;

(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,

(B) If the plaintiff in a civil action instituted pursuant to this section proves the violation by a preponderance of the evidence, the court, after making due provision for the rights of the innocent persons, may grant relief by entering any appropriate orders to ensure that the violation will not continue to be repeated. The orders may include, but are not limited to, orders that: (1) Require the divestiture of the defendant's interest in any enterprise or in any real property; (2) Impose reasonable restrictions upon the future activities or investments of any defendant in the action, including, but not limited to, restrictions that prohibit the defendant from engaging in the same type of endeavor as the enterprise in which the defendant was engaged in violation of section 2923.32 of the Revised Code;

(D) In a civil proceeding under division (B) of this section, the court may grant injunctive relief without a showing of special or irreparable injury.

(E) In a civil proceeding under division (A) of this section, any person directly or indirectly injured by conduct in violation of section 2923.32 of the Revised Code or a conspiracy to violate that section, other than a violator of that section or a conspirator to violate that section, in addition to relief under division (B) of this section, shall have a cause of action for triple the actual damages the person sustained. To recover triple damages, the plaintiff shall prove the violation or conspiracy to violate that section and actual damages by clear and convincing evidence. Damages under this division may include, but are not limited to, competitive injury and injury distinct from the injury inflicted by corrupt activity.

§ 2935.10 Procedure upon filing of affidavit or complaint;

(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, and directed to a peace officer;

IN THE STATE OF OHIO:
COUNTY OF HOCKING:

SS: AFFIDAVIT of ANTHONY J. DE NOMA
averring R.I.C.O. injuries of libel and malicious prosecution.

I, Anthony J. De Noma, affiant herein, (hereafter DeNoma), being first duly cautioned of penalty of perjury, and sworn, do hereby solemnly aver the following statements and information to be true, factual, and accurate. **So Help me GOD !**

With consideration to DeNoma's substantive property in the stare decisis case law remedy of his April 6, 1995 final judgment in State v. Anthony J. De Noma, Common Pleas Case No. B 9502232, Hamilton County, Ohio, by organized misfeasance, nonfeasance, and malfeasance in office use of sham legal process, Hamilton County Prosecuting Attorneys Joseph T. Deters, Patrick X. Dressing, Paula E. Adams, together with Judge Ralph E. Winkler Jr., Sheriff Simon L. Leis Jr., and Public Defender Daniel F. Burke Jr., colluded together in felony tampering with records, forgery, falsification, in a pattern of corrupt activity, perpetrating egregious fraudulent libelous material misrepresentations against DeNoma and his elderly parents, without cause, reason, or authority to do so, posting and disseminating their personal information on the S.O.R.N.A. Interstate public computer electronic Sex Offender Registration Notification Internet website, maliciously prosecuting DeNoma in double jeopardy proceedings, unlawfully reclassifying him under Revised Code Chapter 2971, ex post facto Violent Sexual Predator Sentencing Specifications, citing the same in two different October 28-29, 2008, ENTRIES of Case No. SP 0800368, causing substantive severe and continuing injuries against DeNoma's property, rehabilitation, repute, liberty, employment opportunities, and business interests, among other things, causing him significant loss of his family's support. Demonstrated by exhibited attached documents.

	<u>Exhibit</u>
1.) DeNoma's Institutional visiting list	1.
2.) Criminal Appearance Docket Report for <u>Case : B 9502232</u> , showing unwarranted 8/07/08 Entry Ordering Return Of Inmate, for double jeopardy malicious prosecution proceedings ...	2-3.
3.) 01/01/1900, electronic interstate S.O.R.N. web page, posting and disseminating DeNoma's personal information, with the Hamilton County 7524 Bridgetown Road 54248 residential property address of his elderly parents	4.
4.) October 28, 2008, ENTRIES in <u>Case No. SP 0800368</u> citing <u>R.C. § 2971.01</u>	5-6.
5.) Richard J. De Noma's February 26, 2009, letter of complaint to Ohio Attorney General	7.
6.) 02/27/2009, modification of electronic S.O.R.N. Web page	8.
7.) Affidavits of complaint, of Richard J., and Patricia A. De Noma	9-10.
8.) Affidavits of complaint, of Anthony J. De Noma	11-13.
9.) Letters from DeNoma's sisters, withdrawing their previous support of his rehabilitation	14-16.

I affirm and verify that the statements, information, and attached documents incorporated in this affidavit are true, factual, and accurate. **So Help me GOD !**

Anthony J. De Noma
Anthony J. De Noma #308-836, Hocking Correctional Facility,
P.O. Box 59, 16759 Snake Hollow Road,
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 1 day of October, 2012. My commission expires 7/25-15.

Carrina Dickson
Notary Public

VISITING LIST

Inmate Name:

DENOMA, ANTHONY J

Inmate Number:

A308836

Admitted:

04/13/1995

Marital Status:

Lock:

A/A2/007/B

C=Applicant; T=Temporary; A=Approved; R=Restricted; I=Tentatively Approved

NAME	ADDRESS	RELATION	C/T/A/R/I
1. DENOMA, RICHARD LIC RQ183843	7524 BRIDGETOWN CINCINNATI OH 452480000	FATHER	A
2. DENOMA, PATRICIA LIC RM214212	7524 BRIDGETOWN CINCINNATI OH 452480000	MOTHER	A
3. HARDIG, MARY	7305 DOGTROT RD CINCINNATI OH	SISTER	A
4. KNOSE, CELESTE	218 OLD MILL RD GEORGETOWN KY	SISTER	A
5. FAGO, REBECCA	8336 CEVIOT RD CINCINNATI OH	SISTER	A
6. HARVEY, MARGARET	108 WESTERN VIEW CLEVES OH	SISTER	A
7. WIEDEMAN, AMY LIC 0800155535 IN	9329 N DEARBORN RD GUILFORD IN 470220000	SISTER	A
8. DENOMA, ELIZABETH	REMOVED/NO LONGER WIFE SPRINGHILL FL	REMOVE VISITOR	
9. DENOMA, MICHELLE	8416 VICKSBURG RD SPRINGHILL FL	REMOVE VISITOR	
10. DENOMA, KAREN	8416 VICKSBURG RD SPRINGHILL FL	REMOVE VISITOR	
11. DENOMA, PHILLIP	6673 EAST HAYDEN LANE INVERNESS FL 344520	SON	I
12. DENOMA, CHRISTOPHER	8416 VICKSBURG RD SPRINGHILL FL	REMOVE VISITOR	
13. CARLTON, CAROLE LEA	2615 CLIFF RD. PO BOX 275 NORTH BEND OH 45052	FRIEND	A
14. HANLON, TIM	2615 CLIFF RD. PO BOX 275 NORTH BEND OH 45052	FRIEND	C

SPECIAL/PROFESSIONAL LIST

VISITOR INFORMATION	P = PROFESSIONAL	RESTRICTED
	S = SPECIAL	

A P P E A R A N C E D O C K E T

160 5/18/1995 ORDER
TO SEAL ENTRY *** NUNC PRO TUNC TO
5/5/95 ***
6/05/1995 MONEY RECEIVED & COST PAID BY \$151.20
RICHARD J DE NOMA
12 8/12/1997 ENTRY DEFERRING THE SCHEDULING OF
SEXUAL PREDATOR HEARING
3 10/05/2001 ENTRY FINDING AGAINST ADJUDICATION AS
A SEXUAL PREDATOR
8/07/2008 ENTRY ORDERING RETURN OF INMATE
11/19/2008 NOTICE OF APPEAL FILED
NO. C0801178 COPY SENT TO HAMILTON
COUNTY PROSECUTOR
1/15/2009 STATEMENT AND PRAECIPE
1/29/2009 ENTRY OF DISMISSAL
(SP0800368 & B9502232) (C 0801178)

A P P E A R A N C E D O C K E T

Attorney - Plaintiff
Attorney - Defendant GEORGE M PARKER 46664
Clerk Judge - THOMAS H CRUSH 27

STATE OF OHIO vs. ANTHONY J DENOMA

Total Deposits \$151.20
Total Costs \$151.20

STATE OF OHIO
vs.
ANTHONY J DENOMA
20 BRIDGETOWN RD
CINCINNATI OH

Municipal #: ,

Race: W Age: 36 Sex: F

Filed: 3/10/1995 0005 - WARRANT ON INDICTMENT
Count:1 Disposition:3DOC DEPARTMENT OF CORRECTIONS Date: 4/06/1995
Count:2 Disposition:3DOC DEPARTMENT OF CORRECTIONS Date: 4/06/1995

MAGE	DATE	DESCRIPTION	AMOUNT
	3/10/1995	INDICTMENT REPORTED AND FILED. INDICTMENT FOR RAPE 2907.02 R.C., FELONIOUS SEXUAL PENETRATION 2907.12 R.C.	
	3/10/1995	PRECIPE FOR WARRANT FILED AND WARRANT ISSUED.	
	3/15/1995	SIMON L. LEIS JR., SHERIFF: I HAVE IN CUSTODY AND HAVE SERVED COPY OF INDICTMENT ON SAID DEFENDANT BY DET G H BRANDITZ DEPUTY	
18	3/17/1995	PLEA OF NOT GUILTY ENTERED AT ARRAIGNMENT. \$50,000	
608	3/17/1995	ORDER TO SEAL ENTRY	
624	3/17/1995	ENTRY RETAINING COUNSEL GEORGE PARKER	
	3/24/1995	STATE'S RESPONSE TO DEFENDANT'S DEMAND FOR DISCOVERY.	
	3/28/1995	SUGGESTION OF INSANITY	
258	3/28/1995	ENTRY OF CONTINUANCE 4/6/95	
29	4/03/1995	ENTRY APPOINTING COURT PSYCHIATRIC CENTER FOR EXAMINATION.	
453	4/06/1995	ENTRY WITHDRAWING PLEA OF NOT GUILTY AND ENTERING PLEA OF GUILTY CT 1 RAPE AF-1 2907.02 CT 2 FEL.SEX.PEN. AF-1 2907.12 DISMISS FORCE ALLEGATION	
498	4/06/1995	JUDGMENT ENTRY: SENTENCE: INCARCERATION DOC 10 TO 25YRS IN EACH CTS 1 & 2 CONCURR. TO EACH OTHER & CONCURR. TO SENT IN CASE B951322 W/CREDIT 56DYS. REMANDED. PAY COURT COSTS.	
508	4/06/1995	ENTRY FINDING DEFENDANT COMPETENT FOR PURPOSE OF STANDING TRIAL	
	4/10/1995	REPORT OF EXAMINER AS PER 2945.371 OR 2901.01(N) REPORT LOCATED IN CLERK OF COURTS OFFICE, RM 315 FILED	
	4/10/1995	REPORT OF EXAMINER AS PER 2945.371 OR 2901.01(N) REPORT LOCATED IN CLERK OF COURTS OFFICE, RM 315 FILED	



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

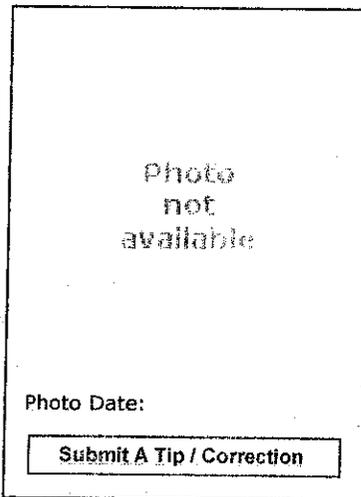
Also Known As:
n/a

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



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

B.4.

HAMILTON COUNTY COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

2

State of Ohio

CASE NO.: SP0800368

Respondent

-vs-

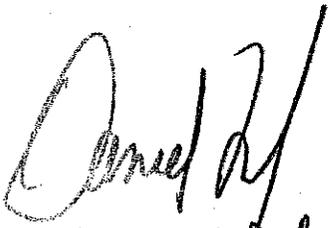
Anthony J. DeNoma

JUDGE: Ralph E. Winkler

Petitioner

**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.


Anthony J. DeNoma
#13836


JUDGE

10-28-08
DATE

1

HAMILTON COUNTY COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

State of Ohio	:	CASE NO.: SP0800368
	:	
Respondent	:	JUDGE: Ralph E. Winkler
vs.	:	
Anthony J. DeNoma	:	
	:	<u>ENTRY GRANTING PETITION FOR</u>
Petitioner	:	<u>IMMEDIATE RELIEF OF</u>
	:	<u>COMMUNITY NOTIFICATION</u>
	:	<u>(2950.11(F)(2))</u>

Pursuant to R.C. 2950.11(F)(2), the Court has considered all relevant information and/or testimony presented by all parties in this matter and finds that the Petitioner has proven by clear and convincing evidence and grants Petitioner's Motion for Immediate Relief from Community Notification.

Petitioner has been found to be a sexually oriented offender, and is therefore not subject to the community notification provisions under R.C. 2950.11.

Therefore, the Court orders that the registration requirements, as set out in R.C. 2950.04, R.C. 2950.05, and R.C. 2950.06 as applicable to a **Tier III offender** apply to the Petitioner, and that he is not subject to the community notification provisions under R.C. 2950.11.

Anthony J. DeNoma
Attorney for Defendant
#13896

Ralph E. Winkler
JUDGE

10-28-08
DATE

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 own home after discharge.

Our home and address has no connection with his offense and residence. Our address needs to be REMOVED FROM THE INTERNET. We are very concerned about our home being targeted 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

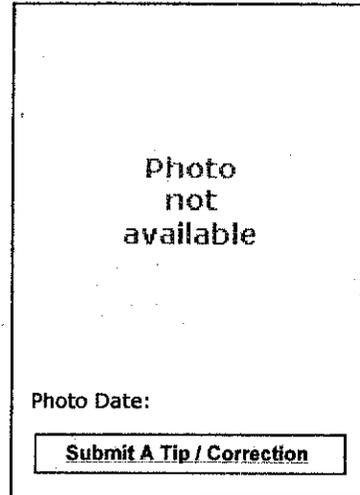
Also Known As:
n/a

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



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
15802 STATE ROUTE 104
Chillicothe Correctional Institution
CHILLICOTHE, OH 45601-8607
Ross County

Last Modified: **02/27/2009**

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

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

Anthony J. De Noma,
Richard J. De Noma, and
Patricia A. De Noma, et al.,
Plaintiff-Complainants, in pro se

vs.

Joseph T. Deters,
Simon L. Leis Jr.,
Hamilton County, et al.,
Defendant-Respondents

Sworn Testimony Affidavit of Information
of reasonable fear and terror of further harassment
conducted by Defendants malicious vendetta
reprisals under the influence of their powerful
positions, to silence their Civil Complaint Action

Now comes Plaintiff, duly cautioned under penalty of perjury, testifying that having been injured, (by Defendants collaboration and collusion in their maliciously reckless, arbitrarily indiscriminate vendetta against "old" prior law sex offenders, and their positive support network, in a perverted "bad faith" scheme of sham legal process, abusing process in malicious prosecution to subject individuals to Manifest Injustice Double Jeopardy attainder of Retroactive Ex Post Facto Laws, conspired, orchestrated and conducted under Hamilton County Sheriff Simon Leis Jr. and Prosecuting Attorney Joseph T. Deters many years in positions of joint powerful influence), wrongfully and maliciously set up on the State's public world-wide computer Internet sex offender registry, wrongfully endangered in imminent peril of violent hate crimes of the world's vigilante hate-mongers, Plaintiff's hereby now declare that they now reasonably live in fear, and terror of further injustices of the arbitrary vindictive reprisals under the influence of the same, to further endanger them, wrongly set them up, and to otherwise injure, harass and intimidate them to silence their Civil Liability Complaint Action charging criminal offenses.

Plaintiff hereby solemnly declare all the foregoing to be true correct and accurate.

Richard J. De Noma
Richard J. De Noma

Resident property owner of Hamilton County
7524 Bridgetown Road; Cincinnati, Ohio 45248
telephone (513) 941-0015

SWORN TO AND SUBSCRIBED in my presence this 7 day of June, 2010.

Thomas P. Serren
NOTARY PUBLIC

My Com Exp 06/25/2013

AFFIDAVIT

OF REASONABLE GOOD FAITH EXPECTATION IN CONTINUED REMEDY OF LAW,
ESTABLISHED, INSTITUTED AND SUSTAINED
BY FINAL AND CONJUNCTIVE COURT OF LAW JUDGMENTS

IN THE STATE OF OHIO :

SWORN TO AND SUBSCRIBED :

IN THE COUNTY OF HAMILTON :

Being duly cautioned of the penalty of perjury we do solemnly affirm the following to be true and accurate.

On April 6, 1995, being present in the court room at the judgment and sentencing, by Plea Agreement, of Anthony J. De Noma, we Richard J. De Noma and Patricia A. De Noma, did reasonably trust and expect in good faith, that the courts final judgment under then existing laws, secured the established and instituted remedy for Anthony and his family, domestic victims, of his offenses, and their hope of his rehabilitation, and potential reconciliation receiving back a son, brother, husband, father, and supportive provider, in mutual support, with respect to the families privacy as secured under then existing Ohio Revised Code Chapter 2950 which exempted Anthony as a first time offender from habitual sex offender registration and further prohibits public inspection of any sex offender registration information, or the implication of supportive family members by publicly posting their family name, address, phone number, and automobile license plates in said registration information,

As a first time offender Anthony was sentenced to a 10 to 25 year indefinite term of imprisonment without imposition of actual time, and by law entitled to a one third reduction of that sentence requiring that he only serve two thirds of his minimum 10 year sentence before being released on parole. Therefore with reasonable trust and good faith in the authority of the Law, along with Anthony, we expected that his faithful observance of the Institutional rules, and his productive participation in rehabilitation programs would secure to him, his entitled, earned, and awarded one third sentence reduction, pursuant to R.C. §§2967.13, 2967.19, and 2967.193, restoring him to make amends and restitution to his family. Which was also the expectation of sentencing Judge Crush in his Entries of August 12, 1997, and October 5, 2001, expressing his expectation of Anthony's release on parole.

Yet we were sorely disappointed at the manifest injustice, when before Anthony's opportunity for parole the State and prosecution changed the terms of his sentence and corresponding remedy abrogating the established operation of the law negating the terms of his Plea Agreement under the effective law existing at his judgment and sentencing and institution of established remedy.

We reasonably expect the immediate rectification and curing of this manifest injustice against both Anthony and his family.

FURTHER AFFIANT SAYETH NAUGHT

Property owners and residents of Hamilton County
7524 Bridgetown Road, Cincinnati, Ohio 54248
telephone number (513) 941-0015

Richard J. De Noma
Richard J. De Noma

Patricia A. De Noma
Patricia A. De Noma

Sworn to and subscribed in my presence a Notary Public, this 2 day of June, 2010.

Howard Deaver
Howard Deaver
My Comm Exp 6/25/2013 B.10.

IN THE STATE OF OHIO:

SWORN TO AND SUBSCRIBED:

IN THE COUNTY OF ROSS:

I, Anthony J. De Noma, pro se Plaintiff-Complainant, being duly cautioned of penalty of perjury do hereby solemnly declare:

On February 26, 2009, immediately after seeing and learning of a family members February 5, 2009, download printed discovery of perilous defamatory libel, Plaintiffs acted to obtain the retraction and removal of their 7524 Bridgetown Road, Hamilton County private home residential property address from the state's computer Public Internet sex offender Worldwide Community Notification Registry.

The State's fraudulent act of printing and posting Plaintiff's private residential address on it's Internet public notification registry as belonging to a heinous felon, is the result of its practiced abuse of the statutory process for the registration of sex offenders in a Bad faith, illegal perverted scheme devised, conspired and conducted by (former Hamilton County Prosecuting Attorney) Sheriff Simon L. Leis Jr. together with Prosecuting Attorney Joseph T. Deters, with full reasonable knowledge and purpose to circumvent the laws, procuring the collusion of others under their powerful influence, perpetrated also through Joseph T. Deters practice of unwarranted misuse of process without probable cause under color of law in the malicious prosecution of Anthony J. De Noma in Case No. B9502232-SPO800368, App. No. C-081178, constituting fraud and patterns of corrupt activity to interfere with Plaintiff's Civil Rights, constituting Intentional Torts with reasonable knowledge and purpose, by which they defrauded and deprived Plaintiffs of their substantive fundamental inalienable and equal protection rights and property interests guaranteed under Sections 1 and 2, Article I, of Ohio's Constitution.

Plaintiff's private personal home property has been violated, unduly encroached and trespassed upon, being fraudulently printed and posted publicly for an unspecified period of time falsely implicating and setting them up as heinous felons, without photograph for proper identification, to all their neighbors, community and the world, readily accessible at the publics fingertips in their homes for their on demand inspection and download printing for incorporation into innumerable independent and sovereign public and private registries and scumbag lists inciting violent vigilante hate-mongers of the world, endangering Plaintiff's lives and property as is reasonably evident by R.C. §2950.12(A) and (B)(1)(2) and (3), constituting actual continuing, ongoing irrevocable irreparable injury to Plaintiffs, defrauding and depriving upstanding senior citizens Richard J. and Patricia A. De Noma of their substantive fundamental reasonable sense of peace, happiness, privacy, safety and security in their accrued and acquired reputations of 84 and 78 years respectively, and in their residential home property of more than fifty years.

Since their filing of this Complaint, Plaintiffs further reasonably fear further adversity of menacing, harassing, intimidating retribution, further endangering their life and reputation conducted under the powerful influence of Hamilton County Sheriff Simon L. Leis Jr. (former Prosecuting Attorney), and Prosecuting Attorney Joseph T. Deters in a plot to silence them and their COMPLAINT. AFFIANT FURTHER SAYETH NAUGHT.

Sworn to and subscribed in my presence
this 17 day of February, 2010.

Melissa Bartlett
Notary Public

expires 8-11-2013

Respectfully submitted

Anthony J. De Noma
Anthony J. De Noma #308-836
Plaintiff-Complainant pro se
15802 State Rt. 104 North, P.O. 5500 C.C.I.
Chillicothe, Ohio 45601-5500
telephone (740) 774-7080

IN THE COURT OF COMMON PLEAS
HAMILTON COUNTY, OHIO

Anthony J. De Noma, et al.,
Plaintiff-Complainants, in pro se

Case No. A1001030

Judge Jody M. Lubbers, Room 485

vs.

Joseph T. Deters,
Simon L. Leis Jr.,
Hamilton County, et al.,
Defendant-Respondents

Sworn Testimony Affidavit

of reasonable fear and terror of further harassment
conducted by Defendants malicious vendetta
reprisals under the influence of their powerful
positions, to silence their Civil Complaint Action

Now comes Plaintiff, duly cautioned under penalty of perjury, testifying that having been injured, (by Defendants collaboration and collusion in their maliciously reckless, arbitrarily indiscriminate vendetta against "old" prior law sex offenders, and their positive support network, in a perverted "bad faith" scheme of sham legal process, abusing process in malicious prosecution to subject individuals to Manifest Injustice Double Jeopardy attainder of Retroactive Ex Post Facto Laws, conspired, orchestrated and conducted under Hamilton County Sheriff Simon Leis Jr. and Prosecuting Attorney Joseph T. Deters many years in positions of joint powerful influence), wrongfully and maliciously set up on the State's public world-wide computer Internet sex offender registry, wrongfully endangered in imminent peril of violent hate crimes of the world's vigilante hate-mongers, Plaintiff's hereby now declare that they now reasonably live in fear, and terror of further injustices of the arbitrary vindictive reprisals under the influence of the same, to further endanger them, wrongly set them up, and to otherwise injure, harass and intimidate them to silence their Civil Liability Complaint Action charging criminal offenses.

Plaintiff hereby solemnly declare all the foregoing to be true correct and accurate.

Anthony J. De Noma

Anthony J. De Noma, #308-836
Plaintiff-Complainant, in pro se
Indigent pauper, Confined Ward of the State
15802 State Rt. 104 North; P.O. Box 5500 C.C.I
Chillicothe, Ohio 45601-5500 telephone (740) 774-7080

SWORN TO AND SUBSCRIBED in my presence this 10th day of May, 2010.

Angela Gray

NOTARY PUBLIC

NOTARY PUBLIC

MY COMMISSION EXPIRES

MO. 8 DAY 11 YEAR 2013

AFFIDAVIT

OF REASONABLE GOOD FAITH EXPECTATION IN CONTINUED REMEDY
OF ESTABLISHED LAW, INSTITUTED AND SUSTAINED BY FINAL AND
CONJUNCTIVE COURT OF LAW JUDGMENTS, AND OF MANIFEST INJUSTICE

IN THE STATE OF OHIO :

SWORN TO AND SUBSCRIBED :

IN THE COUNTY OF ROSS :

Being duly cautioned of the penalty of perjury, I do solemnly assert and affirm the following to be true and accurate.

On or April 6, 1995, as a first time offender by a Plea Agreement, I Anthony J. De Noma was judged and sentenced with established appropriate remedy instituted under those existing laws, which created for Affiant his property right in liberty interest and his family's reasonable good faith expectation of his rehabilitation, reform, restoration and reconciliation back to them as son, brother, husband and father in mutually supportive relationship, as a responsible productive member of society, under entitlements of former Ohio Revised Code Sections 2929.11, 2967.13, 2967.19, 2967.193, and Chapter 2950, pursuant to statutory rules of construction R.C. §§ 1.01, 1.15, 1.47, 1.54, 1.58, with the leniency of R.C. §2901.04(A), §2967.021(A), §5120.021, and State v. Rush 83 Ohio St.3d 53.

Former R.C. Chapter 2950 exempted Affiant from existing habitual sex offender registration, and further prohibited public inspection of sex offender registration information securing a certain privacy for his family and domestic victims, and Title 29 of the Ohio Revised Code entitled him to his fixed ten year minimum term of incarceration diminished by one third sentence reduction awarded him for his good faith productive participation in programs and faithful observance of the rules of the Institution. All of which was also the expectation of the sentencing trial court Judge Crush Entry of August 12, 1997, expressing his expectation of Affiant's release from incarceration, and subsequent October 5, 2001 Entry finding an absence of risk for re-offending.

Yet, before Affiant's legitimate eligibility for parole, the State and prosecution unlawfully changed the terms of his sentence and corresponding remedy abrogating the established operation of the law, negating the terms of his Plea Agreement under the effective law existing at the time of his judgment, sentencing, and institution of established remedy.

Affiant now seeks and demands immediate rectification and curing of this manifest injustice against him and his family.

FURTHER AFFIANT SAYETH NAUGHT

Anthony J. De Noma
Anthony J. De Noma #308-836
15802 State Rt. 104 North; P.O. Box 5500 C.C.I.
Chillicothe, Ohio 45601-5500
telephone (704) 774-7080

SWORN TO AND SUBSCRIBED IN MY PRESENCE, a Notary Public for the State of Ohio in the

County of Ross, this 28th day of May, 2010.

Angela Inay
Notary **NOTARY PUBLIC**

MY COMMISSION EXPIRES
MO. 8 DAY 11 YEAR 2013

March 23, 2009

Tony,

We are writing this letter in response to your "concern" about our parents house being on a "skumbag list" or "sexual offender list" that should be causing embarrassment to both "them" and "our family".

The "embarrassment" started back in 1995 when "your actions" were exposed, resulting in the prosecution and conviction of crimes committed by "you" against "your family" and the "society" we live in. These convictions and sentence we believe were just and warranted. Your sentence was a result of a "plea bargain" between yourself and the prosecutor...without this "plea bargain" you were facing possible life in prison for the crimes you committed.

Since your incarceration our parents have been forced to mislead, fog, dodge questions, and even lie about you and your whereabouts in an attempt to avoid experiencing the "embarrassment" you so openly talk about. We agree with you that your actions shine an unfavorable light on our family. We have a suggestion on how you can do something about this. To save "our family" from future "embarrassment" you should upon your release, relocate to a part of the state where you are not known, where you can start over, where you can find employment, where you are not recongnized as you would be here in the "old neighborhood". Please consider this for all of our sakes.

As for "our parents"...they are in the last days of their lives and do not need any added or undo stress placed upon them. They do not need to be running your errands for frivolous "law suits" against the State of Ohio, Joe Deters, or Bill Cunningham. They have always stood by your side and have always been at your defense due to their lack of knowledge of the facts of your case and we feel that informing them of your actual crimes would serve no purpose at this time. Please take into consideration that they should live out their remaining time as stress free as possible before you submit them to any more of your games.

After all these years you have never expressed any remorse or accepted responsibilities for your actions after such a heinous crime. You destroyed your own family and damaged your children for the rest of their lives. Yet you spend your idle hours looking for ways to find fault and try to blame others for your actions (this is an attempt to take focus off the real issues). You continue to manipulate those who care for you. Accept responsibility for your actions and quit trying to lure people into your antics. The fact that 7524 Bridgetown Rd was listed as your address was probably because you listed this address at the time of your prosecution. We have searched many sexual predator web sites and have not found 7524 Bridgetown Rd as your residence so you can stop the games. The fact that you are listed as a Sexual Predator in our opinion is a just title. The crime that you committed was a sexual one...and your prey was the easiest target you could find...your children. Why do you feel that this is not justified and should be removed? Do you really believe that the courts will reverse this title? Society has an obligation to protect its citizens from those who prey on the innocent.

A couple statistical facts:

- Sexual assault continues to represent the most rapidly growing violent crime in America.
- **Rapists rarely attack once. They have one of the highest repeat rates of all criminals. More that 70% of those arrested for the crime are re-arrested within seven years.**

Your display of a "controlling personality" has never diminished which is a great concern to us all. You are in a place where counseling in this area is readily available and we feel you should use you remaining time incarcerated on working on "yourself" rather than trying to use "smoke and mirrors" and keep clouding the truth. You "are where you are" as a result of the choices you have made. You still have choices in life and hopefully you will be considering the consequences of your future actions on both yourself and others.

Please think long and hard about our thoughts, feelings, and requests.

Jeff Porter

Lew Amy

Kevin Mary

Scott + Celeste

Ron + Becky

August 25, 2011

Tony,

It grieves me to write this but I have had enough. I'm writing this in frustration and anger.

How can you not want to finish out your time for your crime? Why are you trying to place the blame on someone else by trying to shorten your time? Joe Deters did his job! He was protecting your family from you when you did not. There are consequences for your decisions you made over 16 years ago and you are serving time for those immoral actions now. You, Tony, chose to follow your own selfish desires of the flesh, instead of protecting your own family from harm.

With that being said, the children you have fathered, have no desire to see you. As an Aunt to those children, I am obligated to protect them in any way I can from any potential harm. You seem to be a potential harm if you get out from prison. I have read in your letters and have heard that, you have not changed in your temperament. You are still over bearing and demanding and unwilling to listen to anyone but yourself.

Keep in mind that your birth children will protect themselves, with the authorities, if you cross any lines or barriers, which they have set up, if you are released. They know, with you being over bearing and demanding and unwilling to listen, that you are a potential threat to them and to anyone else.

You stated to Celeste that you want the sisters to stay out of your business. Oh, how I would love to do just that. But when your business takes in dad, mom and my nieces and nephews it is my business too! Tony, because of your choices you have not been around for over 16 years to know what is really going on in the real world of the De Noma family. You have only seen dad and mom for a couple of hours every month or so. Dad and mom are aging and struggling with remembering things. Their driving is much to be desired (putting it nicely). Who knows how long they will continue driving.

So with that being said, may you just drop what you are doing and serve out your time like a real man and change your selfish ways!

Your sibling,



Amy (De Noma) Wiedeman
Mary (De Noma) Hardig
Celeste (De Noma) Beetz
Rebecca (De Noma) Fago
Margaret (De Noma) Harvey