

ORIGINAL

IN THE SUPREME COURT OF OHIO

MARY M. GENTILE

Appellee-Plaintiff

v.

RICHARD D. GENTILE

Appellant-Defendant

Case No. 13-0692

ON APPEAL FROM THE CUYAHOGA
COUNTY COURT OF APPEALS,
EIGHTH APPELLATE DISTRICT

COURT OF APPEALS
CASE NO. 97971

NOTICE OF APPEAL OF APPELLANT-DEFENDANT

Scott Rosenthal, Esq. (0069135)
Adam J. Thurman, Esq. (0068257)
Schoonover, Rosenthal, Thurman, &
Daray, L.L.C
1001 Lakeside Avenue, Suite 1720
Cleveland, Ohio 44114
Tel: 216-589-9600; Fax 216-589-9800

Counsel for Appellee-Plaintiff

Christopher P. Lacich, Esq. (0062291)
Roth, Blair, Roberts, Strasfeld & Lodge, LPA
100 East Federal Street, Suite 600
Youngstown, Ohio 44503
Tel: 330-744-5211; Fax: 330-744-3184
clacich@rothblair.com

Counsel for Appellant-Defendant

RECEIVED
MAY 03 2013
CLERK OF COURT
SUPREME COURT OF OHIO

FILED
MAY 03 2013
CLERK OF COURT
SUPREME COURT OF OHIO

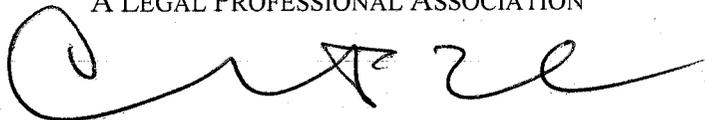
**NOTICE OF APPEAL OF APPELLANT-DEFENDANT
RICHARD D. GENTILE**

Appellant-Defendant hereby gives notice of his discretionary appeal to this Court, pursuant to Ohio Supreme Court Rule 2.1 (A) (3), from a decision of the Court of Appeals of Cuyahoga County, Eighth Appellant District, journalized in Mary M. Gentile v. Richard D. Gentile, Court of Appeals Case No. 97971, on April 4, 2013. A dated copy of the Journal Entry and Opinion is attached as Exhibit "A," to the Memorandum in Support of Jurisdiction.

For the reasons set forth in the accompanying Memorandum in Support of Jurisdiction, this case raises a substantial constitutional question, to wit: the deprivation of the Appellant-Defendant's rights to his property and substantive due process in an Ohio Domestic Relations case under Ohio Constitutional rights granted to him by, respectively, sections 1.01 (Inalienable Rights) and 1.16 (Redress in Courts) (as well as the 5th and 14th Amendments of the U.S. Constitution), and further the issues raised are of public and great general interest, especially in light of not only the substantial constitutional issues raised but the plain civil error committed.

Respectfully submitted,

ROTH, BLAIR, ROBERTS, STRASFELD & LODGE
A LEGAL PROFESSIONAL ASSOCIATION



Christopher P. Lacich (#0062291)
100 East Federal Street, Suite 600
Youngstown, Ohio 44503
Telephone: (330) 744-5211
Facsimile: (330) 744-3184
Email: clacich@rothblair.com
Attorney for Appellant-Defendant

CERTIFICATE OF SERVICE

A copy of the foregoing Notice of Appeal of Appellant-Defendant has been sent by regular U.S. mail on the 2ND day of May, 2013 to the following:

Scott Rosenthal, Esq.
Adam J. Thurman, Esq.
Schoonover, Rosenthal, Thurman, & Daray, L.L.C
1001 Lakeside Avenue, Suite 1720
Cleveland, Ohio 44114
Attorney for Appellee-Plaintiff



Christopher P. Lacich (#0062291)
Attorney for Appellant-Defendant