

**IN THE SUPREME COURT OF OHIO
APPEAL FROM THE COURT OF APPEALS OF OTTAWA COUNTY, OHIO
SIXTH APPELLATE DISTRICT**

IN THE MATTER OF:

A.G., a minor child,

Appellant

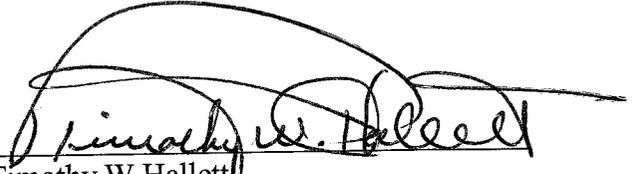
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JUN 05 2013
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FILED
JUN 05 2013
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SUPREME COURT OF OHIO

- * Supreme Court Case No. 12-2097
- * Court of Appeals Case No. OT-11-003
- * Trial Court Case No. 20630010
- * **RESPONSE AND MEMORANDUM
OF APPELLEE, PATRICK GARMYN**
- * Timothy W Hallett (0002418)
- * Eric K Nagel (00073869)
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- * Attorney for Appellee, Patrick Garmyn

The Appellee does hereby respectfully move the court to strike the motion of the appellant to reconsider the judgment entry dated December 19, 2012, wherein this court initially

denied the motion to stay the trial court order or otherwise to dismiss this motion as
inappropriately filed.

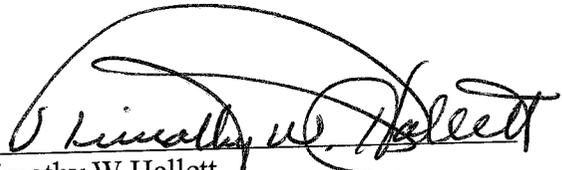

Timothy W Hallett
Attorney for Appellee,
Patrick Garmyn

MEMORANDUM

The Appellant has asked this court to reconsider the decision rendered on the 19th day of December, 2012, that denied the stay of the trial court decision as affirmed on appeal. A motion for reconsideration of a Judgment Entry according to S. Ct. Prac. R. 18.02 must be filed within 10 days of the decision being filed with the Clerk of the Supreme Court. The motion is well beyond the 10 day time frame.

The Appellant appears to be filing a new motion for stay based on new information. The Appellee objects to a one-sided narrative of the Appellant and the submission of statements and records which lack proper authentication and would otherwise be deemed inadmissible in a hearing. The Appellee submits that if Appellant believes that there has been or remains a change in circumstances that would justify a new and different visitation order, then the appropriate forum to present the new information is with the trial court. The Appellee and other witnesses could then be examined by all parties in this proceeding and proper authentication of

documentary evidence could be admitted according to the rules of evidence. The Appellee should not be permitted a second bite of the apple without an opportunity of all parties to be heard.


Timothy W Hallett
Attorney for Appellee,
Patrick Garmyn

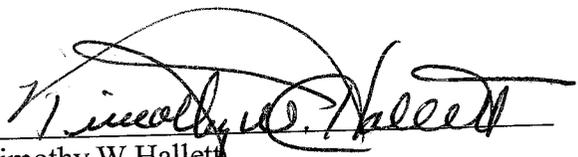
PROOF OF SERVICE

This is to certify that a copy of the foregoing Brief of Appellee, Patrick Garmyn, was sent by ordinary US Mail, postage paid on the 3rd day of June, 2013, to:

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