

ORIGINAL

IN THE SUPREME COURT OF OHIO

DOROTHY FONDESSY

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CASE NO. 2013-1574

Appellee

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• **On Appeal from Ottawa County
Court Of Appeals
Sixth Appellee District**

ANTHONY SIMON

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Appellant

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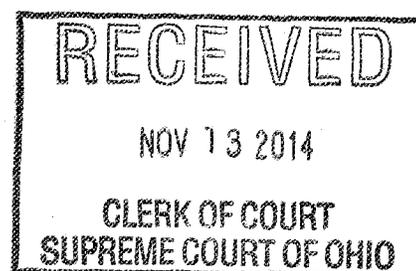
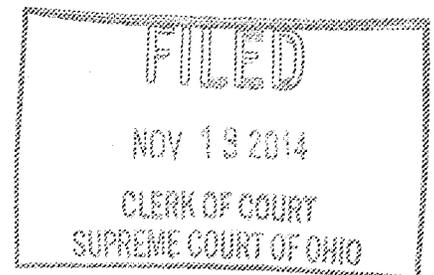
MEMORANDUM OF APPELLEE CONTRA MOTION FOR RECONSIDERATION

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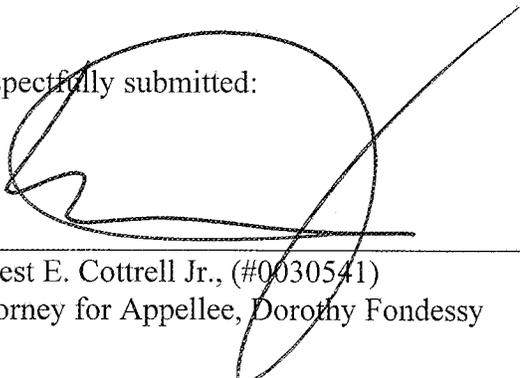
This matter has been thoroughly briefed and argued before this Court on August 20, 2014. It became clear to the majority of this Court during oral argument that this case should never have been accepted on appeal.

Therefore, pursuant to S.Ct. Prac.R 8.04, this Court exercised its authority to sua sponte dismiss the case as having been improvidently certified on October 23, 2014. The Court's ruling effectively ended this case and allowed the protective order to remain in place for another two years.

Unwilling to accept the Court's order, the Appellant filed a Motion to Reconsider. In his Motion, he cites no new facts, no missed issues on appeal, and NO CASE LAW supporting his position. He merely states that the Appellant "is upset" and does not understand the Court's decision.

Appellant's Motion is without merit, is unsupported by any case law, is frivolous and should be summarily denied.

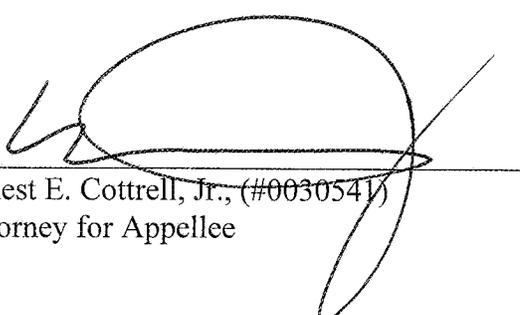
Respectfully submitted:



Ernest E. Cottrell Jr., (#0030541)
Attorney for Appellee, Dorothy Fondessy

PROOF OF SERVICE

The foregoing instrument was sent by ordinary U.S. Mail this 12 day of November, 2014, to Attorney Wesley M. Miller, Jr, P.O. Box 352530, Toledo, Ohio 43635.



Ernest E. Cottrell, Jr., (#0030541)
Attorney for Appellee