

**IN THE SUPREME COURT OF OHIO**

**THE STATE OF OHIO ex rel.  
DOUGLAS C. BARTON,**

*Relator,*

v.

**KEESHA A. BARTON, et al.,**

*Respondents.*

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: Case No. 2014-2241  
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: **Original Action in**  
: **Mandamus/Prohibition**  
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**MOTION TO DISMISS OF RESPONDENT**

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DOUGLAS C. BARTON,**

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**MOTION TO DISMISS OF RESPONDENT**

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Pursuant to Sup. Ct. Prac. R. 12.04(A) and Civ. Rule 12(B)(6), Respondent the Second District Court of Appeals hereby moves this Court to dismiss Relator’s Complaint for a writ of mandamus and prohibition against the Second District because Relator is neither entitled to, nor does the Second District have a duty to perform, the requested relief. This Motion is more fully supported by the attached Memorandum in Support.

Respectfully submitted,

MICHAEL DEWINE (0009181)  
Ohio Attorney General

*/s/ Sarah E. Pierce*

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## MEMORANDUM IN SUPPORT

### **I. INTRODUCTION**

On December 29, 2014, Relator Douglas Barton (“Relator”) initiated this mandamus and prohibition action related to underlying domestic matters that were first heard in the Greene County Domestic Relations Court, and subsequently appealed to Respondent the Second District Court of Appeals (the “Second District”).

In his prayer for relief, as to the Second District, Relator seeks a writ of mandamus ordering the court to remember “their duties according to the Ohio Judicial Code of Conduct . . . and responsibilities under 42 U.S.C. § 1986 Action for Neglect to Prevent.” Relator goes on to note that a “handwritten letter of apology from each member would suffice as remedy.”

As argued below, Relator’s Complaint states no claims against the Second District for which this Court may grant him relief, and the Second District therefore respectfully requests that this Court dismiss Relator’s Complaint.

### **II. STATEMENT OF FACTS**

Relator’s Complaint appears to stem from a fairly substantial history of domestic matters that unfolded in the Greene County Domestic Relations Court over the course of 2013 and 2014. (*See generally* Verified Petition for Writ of Mandamus and Prohibition). On August 16, 2013, Relator filed a Complaint for Divorce against Keesha Barton in the Greene County Domestic Relations Court. (*See* Exhibit A, Greene County Clerk of Courts Docket for Case No. 2013 DR 0207).<sup>1</sup> On the same date, pursuant to Greene County Domestic Relations Rule of Court 7.02,

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<sup>1</sup> The Court may take judicial notice of the docket without converting this Motion to Dismiss to one for summary judgment. *See Pankey v. Court of Common Pleas*, 7th Dist. Mahoning No. 11-MA-29, 2011-Ohio-4258, ¶ 8; Evid.R. 201(B).

the trial court (Judge Stephen Hurley)<sup>2</sup> issued mutual temporary restraining orders upon Mr. and Mrs. Barton *sua sponte*. (*Id.*). On September 4, 2013, Mrs. Barton filed an Answer and Counterclaim for divorce, and on September 12, 2014, the trial court issued a Final Judgment and Decree of Divorce granting each party a divorce from the other on the grounds of incompatibility. (*See* Respondent’s Exhibit A and Relator’s Exhibit D). As part of the Decree, the court awarded Mrs. Barton spousal support and attorneys’ fees. (*Id.*).

On October 10, 2014, Relator appealed the decision to the Second District. (*See* Exhibit B, Greene County Clerk of Courts Docket for Case No. 2014 CA 0046). The matter is currently pending before the appellate court. As of the date of filing this Motion, the parties had not yet filed briefs. (*Id.*).

During the course of the divorce proceeding, Mr. and Mrs. Barton also pursued civil protection orders against one another through the Greene County Domestic Relations Court. (Verified Complaint, *throughout*). On May 16, 2014, Relator appealed a decision of the Greene County Domestic Court related to a complaint filed by Mrs. Barton, against Relator, seeking a civil protection order. (*See* Exhibit C, Greene County Clerk of Courts Docket for Case No. 2014 CA 0021; Relator’s Verified Petition at 3, 7). On January 13, 2015, the Second District entered a Judgment and Final Entry reversing the decision of the trial court. (*Id.*).

On December 29, 2014, Relator brought this original action for writs of mandamus and prohibition against various respondents, including the Second District. Unfortunately, throughout his Complaint, Relator uses the term “Respondent” vaguely and interchangeably with respect to each of the respondents, making it difficult to parse out the specific allegations directed to each respondent. It appears from his prayer for relief, that Relator is only seeking a

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<sup>2</sup> The matter was later assigned to Judge Timothy Campbell. (*See* Exhibit A at 4).

writ of mandamus “reminding” the Second District of its duties and seeking a “handwritten letter of apology.” However, in the body of his Complaint, Relator alleges: (1) that the Second District failed to act with respect to motions filed in Case No. 2014-CA-0021 (the civil protection order against Relator), (Verified Petition for Writ of Mandamus and Prohibition at 5, ¶ 6); and (2) violations of 42 U.S.C. §§ 1985 and 1986, (*id.* at 10). Additionally, Relator appears to generally allege, presumably against all Respondents, violations of Relator’s constitutional rights under Article 1, Section 10a of the Ohio Constitution, (*id.*); request an emergency temporary injunction against “all orders,” (*id.* at 15); and request an order voiding the decision of the trial court, (*id.* at 11-14).

For the reasons set forth below, Relator is not entitled to any of the relief potentially requested against the Second District and, therefore, his Complaint must be dismissed with respect to the claims asserted against the Second District.

### **III. LAW AND ARGUMENT**

#### **A. Standard of Review**

A motion to dismiss for failure to state a claim upon which a court can grant relief challenges the sufficiency of the complaint itself, not evidence outside of the complaint. *Volbers-Klarch v. Middletown Mgmt., Inc.*, 125 Ohio St.3d 494, 2010-Ohio-2057, 929 N.E.2d 434, ¶ 11. When considering the factual allegations of the complaint, a court must accept incorporated items as true and the plaintiff must be afforded all reasonable inferences possibly derived therefrom. *Mitchell v. Lawson Milk Co.*, 40 Ohio St.3d 190, 192, 532 N.E.2d 753 (1988). In granting a motion to dismiss, a court must find that the plaintiff’s complaint does not provide relief on any possible theory. Civ. R. 12(B)(6); *State Auto. Mut. Ins. Co. v. Titanium Metals Corp.*, 108 Ohio St 3d 540, 2006-Ohio-1713, 844 N.E.2d 1199, ¶ 8.

Here, even when construing Relator’s Complaint in a light most favorable to him, and affording him all reasonable inferences possibly derived from his allegations, his Complaint cannot be read to state any claim against the Second District for which relief can be granted. Accordingly, the claims against the Second District must be dismissed.

**B. Relator’s request for a writ of mandamus fails as a matter of law.**

To prevail in a mandamus case, a relator must establish (1) a clear legal right to the requested relief, (2) a clear legal duty on the part of the respondent to provide it, and (3) the lack of an adequate remedy in the ordinary course of the law. *State ex rel. O’Grady v. Griffing*, 140 Ohio St.3d 290, 2014-Ohio-3687, 17 N.E.3d 574, ¶ 11. Here, Relator’s action for a writ of mandamus against the Second District fails because it seeks relief from the Second District to which Relator is not entitled. Additionally, to the extent the Court could infer some viable complaint against the Second District, Relator has an adequate remedy at law, thus obviating his need for the requested writ.

**1. Relator does not have a clear legal right to the relief requested.**

The Ohio Supreme Court has instructed that “a writ of mandamus will not issue to compel the general observance of laws.” *State ex rel. Findlay Publ’g Co. v. Hancock Cty. Bd. of Commrs.*, 80 Ohio St.3d 134, 135 n.1, 684 N.E.2d 1222 (1997). That type of relief simply is not available through mandamus. *See, e.g., State ex rel. Leslie v. Ohio Hous. Fin. Agency*, 105 Ohio St.3d 261, 2005-Ohio-1508, 824 N.E.2d 990, ¶¶ 49, 51 (affirming dismissal of mandamus claim, in part, because relator’s requested relief consisted “of little more than [an order to compel] future compliance with various statutes”); *State ex rel. Findlay Publ’g Co.*, 80 Ohio St.3d at 135 n.1 (holding that a writ of mandamus could not issue to compel a board of county commissioners “to keep minutes and records in accordance with [R.C.] 305.10” (alteration in original)). Rather,

mandamus should “be confined to commanding the performance of specific acts specially enjoined by law to be performed.” *State ex rel. Stanley v. Cook*, 146 Ohio St. 348, 375-76, 66 N.E.2d 207 (1946) (quotation omitted). Accordingly, mandamus will issue only “to compel performance of duties which are ministerial in nature and which do not call for the exercise of official judgment and discretion.” *State ex rel. Armstrong v. Davey*, 130 Ohio St. 160, 163, 198 N.E. 180 (1935); *see also Adamson v. Wetz*, 124 N.E.2d 832, 834 (2d Dist. 1952) (“It is well settled that a duty enforceable by mandamus must be specific and definite and may not be one of a general character which leaves to the respondent any discretion in its performance.”).

But this type of inappropriate general relief is precisely what Relator requests. Even employing the most liberal reading of the Complaint, Relator entirely fails to demonstrate that he is entitled to a writ commanding the Second District to perform “specific acts specially enjoined by law to be performed.” *State ex rel. Stanley*, 146 Ohio St. at 375-76.

Initially, it appears that Relator is seeking both an order “reminding” the Second District of its obligations and for a written apology from the Second District. (Verified Petition at 16). Of course, a writ of mandamus is not a vehicle to compel the observance of general laws. *State ex rel. Findlay Publ’g Co.*, 80 Ohio St.3d at 135 n.1. Moreover, there is no authority to suggest that Relator has any right to a “handwritten letter of apology” from each member of the bench. (*See* Verified Petition at 17). Accordingly, Relator’s Complaint must be dismissed as it fails to seek relief to which he is lawfully entitled.

To the extent the Court might read the body of Relator’s Complaint to request an order to “acknowledge or answer proper motions filed upon the court,” (Verified Complaint at 5), such a request is now moot as the Second District has rendered and entered a judgment in Case No.

2014-CA-0021.<sup>3</sup> (See Exhibit C, Greene County Clerk of Courts Docket for Case No. 2014 CA 0021; Verified Petition at 3, 7). Further, Relator has not identified any pending motions in Case No. 2014-CA-0046 for which he is entitled to an immediate decision. Accordingly, Relator's claims against the Second District must be dismissed as he has failed to establish a right to relief in mandamus.

Relator also appears to claim that the Second District failed to act "in a meaningful way" to remedy alleged federal constitutional violations committed by other Respondents. (See Verified Petition at 9-10). In support of this allegation, Relator cites 42 U.S.C. §§ 1985 and 1986. Section 1985 generally prohibits two or more people from "conspiring to interfere with civil rights." Section 1986 provides:

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case . . . .

However, Relator wholly fails to allege any facts to suggest the Second District either knew about or could have prevented the alleged violations. Accordingly, because Relator has failed to meet his burden of showing a clear legal right to relief, mandamus is not warranted.

**2. Respondent does not have a clear legal duty to provide the relief requested.**

Relator's general allegations with respect to all Respondents violating Article I, Section 10a of the Ohio Constitution as well as "corresponding Ohio Constitutional rights" is also

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<sup>3</sup> When a court fails to rule upon a motion, it will be presumed that the court overruled such motion. *Solon v. Solon Baptist Temple, Inc.*, 8 Ohio App.3d 347, 457 N.E.2d 858 (8th Dist. 1982); *Newman v. Al Castrucci Ford Sales, Inc.*, 54 Ohio App.3d 166, 169, 561 N.E.2d 1001 (1st Dist. 1988).

unclear and fails to establish the specific legal duty that the Second District has purportedly failed to exercise. A court in a mandamus proceeding cannot create the legal duty the relator would enforce through it; creation of the duty is the distinct function of the legislative branch of government. *State ex rel. Stanley v. Cook*, 146 Ohio St. 348, 365, 66 N.E.2d 207 (1946). Instead, relief in mandamus must be supported by a clear legal duty conferred upon the respondent. *State ex rel. O’Grady*, 2014-Ohio-3687, ¶ 11.

Article I, Section 10a of the Ohio Constitution provides, in pertinent part, that “[v]ictims of criminal offenses shall be accorded fairness, dignity, and respect in the criminal justice process, and, as the general assembly shall define and provide by law, shall be accorded rights to reasonable and appropriate notice, information, access, and protection and to a meaningful role in the criminal justice process.” Here, even giving Relator all possible inferences with respect to the allegations in his Complaint, there is simply nothing to suggest that the Second District has failed to afford him any specific rights of a “crime victim” (particularly since both of his appeals to the Second District relate to *civil* matters). (*See* Exhibits B and C).

Because the Second District has not refused or delayed in exercising any mandatory legal duty, Relator is not entitled to a writ of mandamus against the Second District. Relator’s claims against the Second District must be dismissed.

**3. *Relator has an adequate remedy in the ordinary course of the law.***

It is well-recognized that mandamus does not lie where the relator has an adequate remedy at law. *See* R.C. 2731.05; *State ex rel. Burnett v. Indus. Comm. of Ohio*, 6 Ohio St.3d 266, 268, 452 N.E.2d 1341 (1983). To the extent Relator’s Complaint could be construed as a request that the Second District void the judgment of the trial court for lack of jurisdiction, a mandamus action is not the appropriate course for relief. “It is well settled that the Court of

Common Pleas has general subject matter jurisdiction in divorce and alimony actions, and thus, if a plaintiff in a divorce action has met the statutory jurisdictional requirements, the court may consider the individual action.” *Rodriguez v. Rodriguez.*, 8th Dist. Cuyahoga No. 34972, 1976 WL 191010, at \*2 ( July 15, 1976) (citations omitted).

Relator alleges that the trial court “lost” jurisdiction over his domestic matters because various other Respondents committed “fraud upon the court.” (*See Verified Petition at 6-8*). “When a judgment is issued without jurisdiction or was procured by fraud, it is void and is subject to collateral attack.” *Ohio Pyro, Inc. v. Ohio Dept. of Commerce*, 115 Ohio St.3d 375, 2007-Ohio-5024, 875 N.E.2d 550, ¶ 25. However, “in the absence of those fundamental deficiencies, a judgment is considered ‘valid’ (even if it might perhaps have been flawed in its resolution of the merits of the case) and is generally not subject to collateral attack.” *Id.*

To the extent relator believes that the Divorce Decree entered by Judge Campbell might have been procured by fraud, he has an adequate remedy at law by virtue of raising that issue in his appeal, which has already been initiated. (*See Exhibit B, Greene County Clerk of Courts Docket for Case No. 2014 CA 0046*). Because the viability of the trial court’s decision can be adequately addressed through the course of the appeal, a mandamus order is neither appropriate nor necessary.

Accordingly, Relator is not entitled to a mandamus order as it relates to any conceivable claim that the Second District failed to “prevent” or remedy alleged constitutional violations or failed to “void” the trial court’s decision against Relator because he has an adequate remedy at law which obviates the need for a mandamus order.

**C. Relator’s request for a writ of prohibition fails as a matter of law.**

A writ of prohibition is an extraordinary writ that is not routinely or easily granted. *State ex rel. Barclays Bank PLC v. Hamilton Cty. Court of Common Pleas*, 74 Ohio St.3d 536, 660 N.E.2d 458 (1996). In order to be entitled to a writ of prohibition, a relator must establish that (1) the court or officers against whom it is sought are about to exercise judicial power, (2) the exercise of such power is unauthorized by law, and (3) denial of the writ will cause injury to relator for which no other adequate remedy in the ordinary course of law exists. *State ex rel. Jones v. Garfield Hts. Mun. Court*, 77 Ohio St.3d 447, 448, 674 N.E.2d 1381 (1997).

Here, the only conceivable issue upon which Relator has remotely asserted a request for relief by virtue of a writ of prohibition against the Second District is his general request for a temporary injunction “against all orders, until the pendency of this original action.” (Verified Petition at 15). Relator has not specifically alleged that the Second District is “about to exercise [unauthorized] judicial power,” but presumably Relator’s divorce appeal will be ripe for decision during the pendency of this original action. Such a decision will not cause injury to the Relator (as he is the party that brought the appeal) and may resolve a number of the issues addressed above. Even if a decision issued by the Second District is adverse to Relator, he still has a remedy in the ordinary course of the law: an appeal.

Relator has failed to demonstrate that either an “emergency” temporary injunction or writ of prohibition is applicable to the Second District. Accordingly, any such claims against the Second District must be dismissed.

#### IV. CONCLUSION

For the foregoing reasons, Respondent the Second District Court of Appeals respectfully requests that this Court dismiss Relator's Complaint for a writ of mandamus and prohibition against it.

Respectfully submitted,

MICHAEL DEWINE (0009181)  
Ohio Attorney General

*/s/ Sarah E. Pierce*

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*Counsel for Respondent*

*Ohio Second District Court of Appeals*

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing *Motion to Dismiss of Respondent* was served by first class mail via the U.S. Postal Service on January 21, 2015, upon the following:

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*/s/ Sarah E. Pierce*

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SARAH E. PIERCE (0087799)  
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**2013 DR 0207**

Case Type: DIVORCE/LEGAL SEPARATION/ANNUL Case Status: Closed  
 Status Date: 08/16/2013 File Date: 08/16/2013  
 Case Judge: HURLEY, STEVEN L DCM Track:  
 Next Event:

All Information	Party	Event	Docket	Financial	Disposition	Additional Fields
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Party Information	
<b>BARTON, DOUGLAS C - Plaintiff</b>	
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Alias	
Attorney/Bar Code	Phone Number
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<a href="#">More Party Information</a>	

Events				
Date/Time	Location	Type	Result	Event Judge
11/18/2013 10:00 AM	Court Room 2	PT/UNCONTESTED DIVORCE		MARTIN, CYNTHIA
02/07/2014 09:30 AM	Court Room 2	DIVORCE FINAL HEARING WITHOUT CHILDREN	RESCHEDULED	MARTIN, CYNTHIA
02/07/2014 09:30 AM	Court Room 1	DIVORCE FINAL HEARING WITHOUT CHILDREN		CAMPBELL, J TIMOTHY
04/07/2014 09:00 AM	Court Room 1	DIVORCE FINAL HEARING WITHOUT CHILDREN	CONTINUED	CAMPBELL, J TIMOTHY
05/15/2014 01:00 PM	Court Room 1	MOTION		CAMPBELL, J TIMOTHY
06/06/2014 09:00 AM	Court Room 1	MOTION		CAMPBELL, J TIMOTHY
06/06/2014 09:00 AM	Court Room 1	ATTORNEY FEES		CAMPBELL, J TIMOTHY
06/06/2014 09:00 AM	Court Room 1	DIVORCE FINAL HEARING WITHOUT CHILDREN		CAMPBELL, J TIMOTHY
07/18/2014 01:00 PM	Court Room 1	ATTORNEY FEES		CAMPBELL, J TIMOTHY

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date/Time	Location	Type	Result	Event Judge
08/11/2014 02:30 PM	Court Room 1	SHOW CAUSE		CAMPBELL, J TIMOTHY

Docket Information			
Date	Description	Docket Text	Amount
08/16/2013	COMPLAINT FOR DIVORCE WITHOUT CHILDREN FILED	COMPLAINT FOR DIVORCE WITHOUT CHILDREN FILED Attorney: BLASCHAK, THOMAS (0059731) Receipt: 248846 Date: 08/16/2013	\$0.00
08/16/2013	AFFIDAVIT OF FINANCIAL DISCLOSURE FILED	AFFIDAVIT OF FINANCIAL DISCLOSURE FILED	
08/16/2013	DOMESTIC RELATIONS QUESTIONNAIRE FILED	DOMESTIC RELATIONS QUESTIONNAIRE FILED	
08/16/2013	ADDITIONAL HB 319 FEE AS OF OCT 1, 2001	ADDITIONAL HB 319 FEE AS OF OCT 1, 2001 Receipt: 248846 Date: 08/16/2013	\$0.00
08/16/2013	COURT SECURITY FUND ASSESSED AS COSTS	COURT SECURITY FUND ASSESSED AS COSTS Receipt: 248846 Date: 08/16/2013	\$0.00
08/16/2013	MUTUAL RESTRAINING ORDERS FILED	MUTUAL RESTRAINING ORDERS FILED (2 PAGES) 13-08-2584/2585 Receipt: 248846 Date: 08/16/2013	\$0.00
08/16/2013	INSTRUCTIONS FOR SERVICE	INSTRUCTIONS FOR SERVICE FILED; 1 SUMMONS W/COMPLAINT & PLEADINGS ISSUED TO DEFT SENT BY CERTIFIED MAIL. Attorney: BLASCHAK, THOMAS (0059731)	
08/16/2013	SUMMONS FEE	SUMMONS FEE  Receipt: 268203 Date: 10/09/2014	\$0.00
08/16/2013	CHARGE FOR CERTIFIED MAIL	Issue Date: 08/16/2013 Service: DR Summons on Complaint Method: 1 Certified Mail Cost Per: \$ 10.00  BARTON, KEESHA A 2352 BARNARD DRIVE FAIRBORN, OH 45324 Tracking No: 7190109779800003951  Receipt: 268204 Date: 10/09/2014	\$0.00
08/20/2013	SUCCESSFUL SERVICE	SUCCESSFUL SERVICE Method : 1 Certified Mail Issued : 08/16/2013 Service : DR Summons on Complaint Served : 08/17/2013 Return : 08/20/2013 On : BARTON, KEESHA A Signed By : K BARTON  Reason : Successful Comment :  Tracking # : 7190109779800003951	
09/04/2013	ANSWER & COUNTERCLAIM/CRS FILED	ANSWER & COUNTERCLAIM/CRS FILED (E-MAIL TO DR CT) Attorney: LUSH, L ANTHONY (0046565) Receipt: 249683 Date: 09/04/2013	\$0.00
09/04/2013	SUMMONS FEE		\$0.00

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
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		Receipt: 268203 Date: 10/09/2014	
09/04/2013	CHARGE FOR CERTIFIED MAIL	Issue Date: 09/04/2013 Service: DR Counterclaim Summons Method: 1 Certified Mail Cost Per: \$ 10.00  BARTON, DOUGLAS C 437 WARWICK PLACE FAIRBORN, OH 45324 Tracking No: 7190109779800004224  Receipt: 268204 Date: 10/09/2014	\$0.00
09/06/2013	SUCCESSFUL SERVICE	SUCCESSFUL SERVICE Method : 1 Certified Mail Issued : 09/04/2013 Service : DR Counterclaim Summons Served : 09/05/2013 Return : 09/06/2013 On : BARTON, DOUGLAS C Signed By : DOUGLAS BARTON  Reason : Successful Comment :  Tracking # : 7190109779800004224	
09/13/2013	ANSWER & COUNTERCLAIM/CRS FILED	DEFENDANT'S ANSWER & COUNTERCLAIM/CRS FILED Attorney: PENICK, BRYAN (0071489) Receipt: 250167 Date: 09/13/2013	\$0.00
09/13/2013	AFFIDAVIT OF FINANCIAL DISCLOSURE FILED	AFFIDAVIT OF FINANCIAL DISCLOSURE FILED FOR KEESHA	
09/13/2013	DOMESTIC RELATIONS QUESTIONNAIRE FILED	DOMESTIC RELATIONS QUESTIONNAIRE FILED	
09/13/2013	SUMMONS FEE	SUMMONS FEE	\$0.00
		Receipt: 268203 Date: 10/09/2014	
09/13/2013	CHARGE FOR CERTIFIED MAIL	Issue Date: 09/13/2013 Service: DR Counterclaim Summons Method: 1 Certified Mail Cost Per: \$ 10.00  BARTON, DOUGLAS C 437 WARWICK PLACE FAIRBORN, OH 45324 Tracking No: 7190109779800004354  Receipt: 268204 Date: 10/09/2014	\$0.00
09/17/2013	SUCCESSFUL SERVICE	SUCCESSFUL SERVICE Method : 1 Certified Mail Issued : 09/13/2013 Service : DR Counterclaim Summons Served : 09/14/2013 Return : 09/17/2013 On : BARTON, DOUGLAS C Signed By : ??  Reason : Successful Comment :	

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
		Tracking # : 7190109779800004354	
09/17/2013	ORDER FILED	NOTICE & ORDER ASSIGNING FINAL DIVORCE/PRE-TRIAL HEARING FILED UNCONTESTED HEARING IS SET FOR 11-18-13 AT 10:00AM BEFORE MAGISTRATE MARTIN. (2 PAGES) 13-09-2503/2504 Receipt: 268203 Date: 10/09/2014	\$0.00
09/19/2013	NOTICE OF	NOTICE OF SUBSTITUTION OF COUNSEL FOR DEFENDANT, KEESHA A BARTON FILED; BRYAN PENICK IS SUBSTITUTED AS HER ATTORNEY Attorney: PENICK, BRYAN (0071489)	
11/14/2013	PLAINTIFFS PRE-TRIAL STATEMENT FILED	PLAINTIFFS PRE-TRIAL STATEMENT FILED Attorney: BLASCHAK, THOMAS (0059731)	
11/18/2013	DEFENDANTS PRETRIAL STATEMENT FILED	DEFENDANTS PRETRIAL STATEMENT FILED Attorney: PENICK, BRYAN (0071489)	
11/19/2013	NOTICE OF HEARING FILED - HEARING IS SET FOR	NOTICE OF HEARING FILED - HEARING IS SET FOR 2-7-14 AT 9:30AM BEFORE MAGISTRATE MARTIN.	
01/09/2014	ENTRY FILED	SUBSTITUTION OF COUNSEL ENTRY FILED ATNY GRANDJEAN HEREBY GIVES NOTICE OF HER SUBSTITUTION AS COUNSEL FOR DEFT, KEESHA A BARTON. (3 PAGES) 14-01-0913/0915 Attorney: GRANDJEAN, DALMA (0024841) Receipt: 268204 Date: 10/09/2014	\$0.00
02/03/2014	ORDER FILED	ORDER FILED; DUE TO JUDICIAL PROCEEDINGS IN THIS CASE, THE COURT FINDS IT FAIR, JUST AND EQUITABLE THAT THIS CASE BE TRANSFERRED TO JUDGE J TIMOTHY CAMPBELL FOR ALL HEARING CONCERNING DIVORCE AND/OR DOMESTIC VIOLENCE ISSUES IN THIS CASE. 14-02-0109 Receipt: 268203 Date: 10/09/2014	\$0.00
02/10/2014	PRETRIAL ORDER FILED	PRETRIAL ORDER FILED; (SEE ORDER) EACH PARTY IS TO MARK AND EXCHANGE ALL EXHIBITS AT LEAST (7) DAYS PRIOR TO THE FINAL HEARING. EACH PARTY SHALL BE ENTITLED TO ONE-HALF OF THE AVAILABLE COURT TIME. FINAL HEARING FOR ONE HALF DAY IS SET FOR 4-07-14 AT 9:00 AM BEFORE JUDGE J T CAMPBELL. 14-02-0984/0985 Receipt: 268203 Date: 10/09/2014 Receipt: 268204 Date: 10/09/2014	\$0.00
03/13/2014	NOTICE OF	SUBSTITUTION OF COUNSEL AND ACKNOWLEDGMENT OF HEARING FILED; BY DEFT (HRG SET FOR 4-7-14 AT 9:00AM) Attorney: SLICER III, CHARLES W (0059927)	
03/13/2014	NOTICE OF	SUBSTITUTION OF COUNSEL AND ACKNOWLEDGMENT OF HEARING FILED; BY DEFT (HRG SET FOR 4-14-14 AT 1:00PM) Attorney: SLICER III, CHARLES W (0059927)	
03/14/2014	FAX FEE DUE FROM	FAX FEE DUE FROM ATNY SLICER - FAXED BACK TIME STAMPED COPIES OF SUBSTITUTION OF COUNSELS FILED ON 3-13-14. Attorney: SLICER III, CHARLES W (0059927) Receipt: 259028 Date: 03/19/2014	\$0.00
03/31/2014	MOTION TO WITHDRAW FILED	MOTION TO WITHDRAW FILED; THOMAS BLASCHAK REQUEST THE COURT FOR LEAVE TO WITHDRAW AS COUNSEL ON THIS MATTER. Attorney: BLASCHAK, THOMAS (0059731)	
03/31/2014	MOTION FOR CONTINUANCE FILED; BY (PTF/DEF)	MOTION FOR CONTINUANCE FILED; ATTY FOR DEF REQUEST FOR A CONTINUANCE OF THE HEARING SET FOR 4-7-14 AT 9:00 AM. Attorney: BLASCHAK, THOMAS (0059731)	
03/31/2014	POSTAGE ASSESSED AS COSTS	POSTAGE ASSESSED AS COSTS. TIME STAMPED COPIES OF MOTION TO WITHDRAW AND MOTION TO CONTINUE SENT TO ATTY BLASCHAK. Receipt: 268203 Date: 10/09/2014	\$0.00
04/02/2014	ORDER FILED		\$0.00

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
		ORDER FILED; (SEE ORDER) MOTION TO CONTINUE AND THE MOTIN FOR MR BLASCHAK TO WITHDRAW AS COUNSEL RECEIVED MARCH 28, 2012 ARE DENIED. COURT WILL RECONSIDER EACH IF A NEW ATTORNEY ENTERS AN APPEARANCE FOR MR BARTON. 14-04-0419 Receipt: 268203 Date: 10/09/2014	
04/09/2014 *		SUBSTITUTION OF COUNSEL FILED; BY ATNY CHARLES MORRISON IS SUBSTITUTION FOR THOMAS BLASCHAK FOR THE PTF Attorney: BLASCHAK, THOMAS (0059731) Attorney: MORRISON, CHARLES W (0084368)	
04/09/2014	ENTRY FILED	ENTRY APPROVING MOTION TO WITHDRAW AS COUNSEL FILED ATNY THOMAS BLASCHAK WITHDRAWS AS COUNSEL FOR THE PTF AND THE MATTER IS HEREBY ARROVED AND ORDERED. 14-04-1597 Attorney: BLASCHAK, THOMAS (0059731) Receipt: 268203 Date: 10/09/2014	\$0.00
04/09/2014	ENTRY FILED	ENTRY GRANTING CONTINUANCE FILED HEARING ON 4-7-14 IS HEREBY RESET FOR 6-6-14 AT 9:00AM BEFORE JUDGE CAMPBELL. 14-04-1598 Attorney: MORRISON, CHARLES W (0084368) (C/C OF ENTRYS FILED 4-9-14 SENT TO DEFT BY CERTIFIED MAIL.) Receipt: 268203 Date: 10/09/2014	\$0.00
04/09/2014	POSTAGE ASSESSED AS COSTS	POSTAGE ASSESSED AS COSTS (MAILED ENTRIES FILED 4-9-14 TO ATNY MORRISON) Attorney: MORRISON, CHARLES W (0084368) Receipt: 268203 Date: 10/09/2014	\$0.00
04/09/2014	CHARGE FOR CERTIFIED MAIL	Issue Date: 04/09/2014 Service: MISCELLANEOUS Method: 1 Certified Mail Cost Per: \$ 10.00  BARTON, KEESHA A 2352 BARNARD DRIVE FAIRBORN, OH 45324 Tracking No: 71901097798000074599  Receipt: 268204 Date: 10/09/2014	\$0.00
04/24/2014	MOTION FILED	MOTION FOR IMMEDIATE HEARING AND OTHER RELIEF FILED BY DEFT REGARDING MARITAL DEBTS, 99 FORD TRUCK, RV, SPOUSAL SUPPORT, & OTHER RELATED MATTERS. Attorney: SLICER III, CHARLES W (0059927)	
04/24/2014	NOTICE OF	NOTICE OF HEARING ON THE MOTION FOR IMMEDIATE HEARING AND OTHER RELIEF FILED; PRETRIAL CONFERENCE IS SET FOR 5-15-14 AT 1:00PM BEFORE JUDGE CAMPBELL. Attorney: SLICER III, CHARLES W (0059927)	
04/24/2014	FAX FEE DUE FROM	FAX FEE DUE FROM ATNY SLICER - FAXED BACK 1ST PAGES TIME STAMPED OF MOTION FOR IMMEDIATE HEARING W/NOTICE OF HEARING FILED ON 4-24-14 Attorney: SLICER III, CHARLES W (0059927) Receipt: 268950 Date: 10/24/2014	\$0.00
04/30/2014	SUCCESSFUL SERVICE	SUCCESSFUL SERVICE Method : 1 Certified Mail Issued : 04/09/2014 Service : MISCELLANEOUS Served : 04/29/2014 Return : 04/30/2014 On : BARTON, KEESHA A Signed By : keesha barton	

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
		Reason : Successful Comment :  Tracking # : 7190109779800007459	
05/21/2014	MOTION FILED	MOTION FOR AN ORDER OF IMMEDIATE RETURN AND OTHER RELIEF FILED; DEF REQUEST THE COURT FOR AN ORDER FINDING THE PTF IN CONTEMPT FOR HIS FAILURE TO ABIDE BY THE MUTUAL RESTRAINING ORDERS FILED ON 8-16-2013. Attorney: SLICER III, CHARLES W (0059927)	
05/21/2014	NOTICE OF HEARING FILED - HEARING IS SET FOR	NOTICE OF HEARING ON THE MOTION FOR AN ORDER OF IMMEDIATE RETURN AND OTHER RELIEF FILED - HEARING IS SET FOR 6-6-2014 AT 9:00 AM BEFORE JUDGE HURLEY.	
05/21/2014	MOTION FILED	MOTION FOR ATTORNEY FEES FILED; DEF REQUEST THIS COURT TO ISSUE AN ORDER THAT THE PTF PAY HER ATTORNEY FEES. Attorney: SLICER III, CHARLES W (0059927)	
05/21/2014	NOTICE OF HEARING FILED - HEARING IS SET FOR	NOTICE OF HEARING ON THE MOTION FOR ATTORNEY FEES FILED -PRE-HEARING CONFERENCE IS SET FOR 6-6-2014 AT 9:00 AM BEFORE JUDGE CAMPBELL. Attorney: SLICER III, CHARLES W (0059927)	
05/21/2014	NOTICE TO TAKE DEPOSITION FILED	NOTICE TO TAKE DEPOSITION FILED; DEF, THROUGH COUNSEL, HAVE SCHEDULED TO TAKE THE DEPOSITION OF PTF, AT THE LAW OFFICE OF SLICER LAW, ON 5-30-2014 BEGINNING AT 4:00 PM.	
05/21/2014	MOTION TO APPOINT (NAME) AS SPECIAL PROCESS SERVER FILED;	MOTION TO APPOINTMENT OF PROCESS SERVER FILED; DEF REQUEST THE COURT TO DESIGNATE THOMAS J MUHLEMAN AS SPECIAL PROCESS SERVER. Attorney: SLICER III, CHARLES W (0059927)	
05/21/2014	ENTRY APPOINTING SPECIAL PROCESS SERVER FILED	ENTRY APPOINTING SPECIAL PROCESS SERVER FILED; COURT HEREBY APPOINTS THOMAS J MUHLEMAN, AS STANDING PROCESS SERVER. 14-05-2861/2862 Receipt: 268203 Date: 10/09/2014	\$0.00
05/21/2014	INSTRUCTIONS FOR SERVICE	INSTRUCTIONS FOR SERVICE FILED; PTF TO BE SERVED WITH SUMMONS, MOTION & SUPPORTING DOCUMENTS BY - PROCESS SERVER	
05/21/2014	SUMMONS FEE	SUMMONS FEE  Receipt: 268203 Date: 10/09/2014	\$0.00
05/21/2014	PROCESS SERVER	Issue Date: 05/21/2014 Service: DR Contempt Summons Method: 3 Process Server Cost Per: \$ 0.00  BARTON, DOUGLAS C 2739 STAFFORD COURT NEW CARLISLE, OH 45344 Tracking No: P000018038	\$0.00
05/27/2014	SUCCESSFUL SERVICE	SUCCESSFUL SERVICE Method : 3 Process Server Issued : 05/21/2014 Service : DR Contempt Summons Served : 05/26/2014 Return : 05/27/2014 On : BARTON, DOUGLAS C Signed By : DOUGLAS C BARTON  Reason : PERSONAL SERVICE Comment :	

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lKpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
		Tracking #: P000018038	
05/29/2014	MOTION FILED	MOTION FOR LEAVE TO FILE REPLY TO DEFENDANT'S COUNTERCLAIM FOR DIVORCE FILED; (ATNY TOOK ORDER TO DRCT) Attorney: MORRISON, CHARLES W (0084368)	
06/05/2014	*	DEFENDANT'S WITNESS LIST FILED. Attorney: SLICER III, CHARLES W (0059927)	
06/05/2014	FAX FEE DUE FROM	FAX FEE DUE FROM ATTY SLICER. FAXED BACK 1ST PAGE TIME STAMPED OF DEFENDANT'S WITNESS LIST FILED 6/5/2014. Attorney: SLICER III, CHARLES W (0059927) Receipt: 263048 Date: 06/12/2014	\$0.00
06/05/2014	ORDER FILED	ORDER GRANTING LEAVE TO FILE REPLY TO DEFENDANT'S COUNTERCLAIM FOR DIVORCE FILED. 14-06-1265 Receipt: 268203 Date: 10/09/2014	\$0.00
06/06/2014	OBJECTION FILED	PLAINTIFF'S OBJECTIONS TO THE MOTION FOR LEAVE TO FILE REPLY TO DEFENDANT'S COUNTERCLAIM FOR DIVORCE FILED; Attorney: SLICER III, CHARLES W (0059927)	
06/06/2014	FAX FEE DUE FROM	FAX FEE DUE FROM PLAINTIFF'S OBJECTIONS TO THE MOTION FOR LEAVE TO FILE REPLY TO DEFENDANT'S COUNTERCLAIM FOR DIVORCE Attorney: SLICER III, CHARLES W (0059927) Receipt: 263048 Date: 06/12/2014	\$0.00
06/10/2014	ORDER FILED	ORDER AND ENTRY FILED; (SEE ORDER) ORDERED THAT ATNY FOR PTF WILL FILE HIS BRIEF ON THE PARTIES PRE-NUPTIAL AGREEMENT WITHIN 10 DAYS OF THIS ENTRY'S TIME-STAMPED DATE AND CHARLES MORRISON, COUNSEL FOR DEF WILL FILE HIS REPLY TO THE PRE-NUPTIAL AGREEMENT NO LATER THAN SEVEN (7) DAYS AFTER MR SLICER HAS FILED HIS BRIEF. 14-06-1728 Receipt: 268203 Date: 10/09/2014	\$0.00
06/11/2014	NOTICE OF HEARING FILED - HEARING IS SET FOR	NOTICE OF HEARING FILED - HEARING FOR ATTORNEY'S FEES IS SET FOR 7/18/2014 AT 1:00 PM BEFORE JUDGE CAMPBELL.	
06/20/2014	*	DEFENDANT'S BRIEF REGARDING ADMISSIBILITY OF PRENUPTIAL AGREEMENT FILED; (SENT TO GAIL & MICHELLE 6-23-14) Attorney: SLICER III, CHARLES W (0059927)	
06/20/2014	FAX FEE DUE FROM	FAX FEE DUE FROM ATNY SLICER - FAXED BACK 1ST PAGE TIME STAMPED OF DEFT'S BRIEF FILED 6-20-14. Attorney: SLICER III, CHARLES W (0059927) Receipt: 268950 Date: 10/24/2014	\$0.00
07/07/2014	REPLY FILED	REPLY TO DEFENDANT'S BRIEF REGARDING ADMISSIBILITY OF PRENUPTIAL AGREEMENT FILED BY PTF Attorney: MORRISON, CHARLES W (0084368)	
07/07/2014	REPLY FILED	REPLY TO DEFENDANT'S COUNTERCLAIM FOR DIVORCE FILED BY PTF Attorney: MORRISON, CHARLES W (0084368)	
07/08/2014	FAX FEE DUE FROM	FAX FEE DUE FROM ATNY MORRISON - FAXED BACK 1ST PAGE TIME STAMPED OF REPLY TO DEFT'S BRIEF FILED 7-7-14. Attorney: MORRISON, CHARLES W (0084368) Receipt: 268950 Date: 10/24/2014	\$7.00
07/08/2014	FAX FEE DUE FROM	FAX FEE DUE FROM ATNY MORRISON - FAXED BACK 1ST PAGE TIME STAMPED OF REPLY TO DEFT'S COUNTERCLAIM FILED 7-7-14. Attorney: MORRISON, CHARLES W (0084368)	\$21.00

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
07/09/2014	MOTION FILED	MOTION TO STRIKE FILED BY DEFT REQUESTING THE COURT OT STRIKE THE PTF'S REPLY TO DEFT'S BRIEF REGARDING ADMISSIBILITY OF PRENUPTIAL AGREEMENT FILED 7-7-14. (SENT TO GAIL 7-10-14) Attorney: SLICER III, CHARLES W (0059927)	
07/09/2014	MOTION TO SHOW CAUSE FILED	MOTION TO SHOW CAUSE AND OTHER RELIEF FILED BY DEFT. DEFT MOVES THE COURT FOR AN ORDER FINDING THE PTF IN CONTEMPT OF COURT FOR HIS FAILURE TO ABIDE BY THE MUTUAL RESTRAINING ORDERS FILED 8/16/2013. Attorney: SLICER III, CHARLES W (0059927)	
07/09/2014	ORDER FILED	ORDER TO SHOW CAUSE AND OTHER RELIEF FILED. MOTION DEMONSTRATES THERE IS PROBABLE CAUSE TO BELIEVE THAT THE PTF IS IN CONTEMPT OF THIS COURT AND ORDERS THE PTF TO APPEAR BEFORE JUDGE CAMPBELL ON 7/18/2014 AT 1:00 PM. 14-07-1304 TO 1306 Receipt: 268204 Date: 10/09/2014	\$0.00
07/09/2014	MOTION FILED	MOTION FOR APPOINTMENT OF PROCESS SERVER FILED BY DEFT. DEFT REQUESTS THE COURT DESIGNATE HAROLD STOLLINGS AS SPECIAL PROCESS SERVER. Attorney: SLICER III, CHARLES W (0059927)	
07/09/2014	ENTRY FILED	ENTRY APPOINTING PROCESS SERVER FILED. COURT DESIGNATES HAROLD STOLLINGS AS SPECIAL PROCESS SERVER. 14-07-1307 Receipt: 268203 Date: 10/09/2014	\$0.00
07/10/2014	FAX FEE DUE FROM	FAX FEE DUE FROM ATNY SLICER - FAXED BACK 1ST PAGE TIME STAMPED OF MOTION TO STRIKE FILED 7-9-14. Attorney: SLICER III, CHARLES W (0059927) Receipt: 268950 Date: 10/24/2014	\$0.00
07/10/2014	SUMMONS FEE	SUMMONS FEE  Receipt: 268203 Date: 10/09/2014	\$0.00
07/10/2014	PROCESS SERVER	Issue Date: 07/10/2014 Service: DR Contempt Summons Method: 3 Process Server Cost Per: \$ 0.00  BARTON, DOUGLAS C 437 WARWICK PLACE FAIRBORN, OH 45324 Tracking No: P000018200	\$0.00
07/18/2014	MOTION FOR CONTINUANCE FILED; BY (PTF/DEF)	MOTION FOR CONTINUANCE OF CONTEMPT HEARING FILED; REQUEST FOR A CONTINUANCE OF THE HEARING SET FOR 7/18/2014 AT 1:00 PM BEFORE JUDGE CAMPBELL.	
07/18/2014	ENTRY FILED	ENTRY OF CONTINUANCE OF CONTEMPT HEARING FILED. UPON REQUEST OF THE DEFT, THE HEARING SCHEDULED FOR 7/18/2014 AT 1:00 PM IS CONTINUED TO 8/11/2014 AT 2:30 PM BEFORE JUDGE CAMPBELL. 14-07-2944/2945 Receipt: 268203 Date: 10/09/2014	\$0.00
08/11/2014	SUCCESSFUL SERVICE	SUCCESSFUL SERVICE Method : 3 Process Server Issued : 07/10/2014 Service : DR Contempt Summons Served : 07/18/2014 Return : 08/11/2014 On : BARTON, DOUGLAS C Signed By : DOUGLAS BARTON  Reason : PERSONAL SERVICE Comment :	

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
		Tracking # : P000018200	
09/12/2014	FINAL DECREE OF DIVORCE FILED	FINAL JUDGMENT AND DECREE OF DIVORCE (FINAL APPEALABLE ORDER) FILED (SEE DECREE) (SEE NOTES SCREEN) Attorney: MORRISON, CHARLES W (0084368) 14-09-1507 TO 1515 **ONLY CHARGE \$9.00 FOR C/C OF DECREE** Attorney: SLICER III, CHARLES W (0059927) Receipt: 268204 Date: 10/09/2014	\$0.00
09/12/2014	FINAL APPEALABLE ORDER ISSUED TO ALL PARTIES AND ATTORNEYS OF RECORD BY ORDINARY MAIL	FINAL APPEALABLE ORDER ISSUED TO ALL PARTIES AND ATTORNEYS OF RECORD BY REGULAR MAIL Receipt: 268204 Date: 10/09/2014	\$0.00
09/12/2014	COPIES TAXED AS COSTS	COPIES TAXED AS COSTS OF DECREE PAPER WORK Receipt: 268203 Date: 10/09/2014	\$0.00
09/29/2014	ENTRY FILED	ENTRY RESTORING TO FORMER NAME FILED. DEFT SHALL BE RESTORED TO HER FORMER NAME OF KEESHA A. EVANS. 14-09-4161 Receipt: 268203 Date: 10/09/2014	\$0.00
09/29/2014	CERTIFIED COPIES TAXED AS COSTS	CERTIFIED COPIES TAXED AS COSTS. 3 C/C OF ENTRY RESTORING FORMER NAME. Receipt: 268203 Date: 10/09/2014	\$0.00
10/07/2014	VITAL STATISTICS FORM PROCESSED	VITAL STATISTICS FORM PROCESSED	
10/09/2014	CERTIFICATION TO VITAL STATISTICS	CERTIFICATION TO VITAL STATISTICS Receipt: 268203 Date: 10/09/2014	\$0.00
10/09/2014	MAKING BLUE BACKS WITH CERTIFIED COPIES	MAKING BLUE BACKS WITH CERTIFIED COPIES Receipt: 268203 Date: 10/09/2014	\$0.00
10/09/2014	HOUSE BILL 66 - VITAL STATISTICS FEE ASSESSED AS COST FILED	HOUSE BILL 66 - VITAL STATISTICS FEE ASSESSED AS COST FILED Receipt: 268204 Date: 10/09/2014	\$0.00
10/09/2014	HB 197 (03-22-2013) - 1 DOLLAR COMPUTERIZATION CHARGE FOR: JOURNALIZING, INDEXING, MAKING COMPLETE R	HB 197 (03/2013) - 1 DOLLAR COMPUTERIZATION CHARGE FOR: PER BOND- 1.00 PER OCCURRENCE FOR JOURNALIZING, INDEXING, AND MAKING COMPLETE RECORD. Receipt: 268204 Date: 10/09/2014	\$0.00
10/10/2014	*****NOTICE OF APPEAL (COACASE#) FILED*****	*****NOTICE OF APPEAL 2014CA0046 FILED*****	
10/10/2014	CIVIL DOCKETING STATEMENT FILED - COPY TO COA	CIVIL DOCKETING STATEMENT FILED	
10/10/2014	PRAECIPE TO THE COURT REPORTER	PRAECIPE TO THE COURT REPORTER Receipt: 268950 Date: 10/24/2014	\$1.00
10/10/2014	PRAECIPE TO THE CLERK FILED	PRAECIPE TO THE CLERK FILED Receipt: 268950 Date: 10/24/2014	\$1.00
11/10/2014	MOTION FILED	MOTION FOR WITHHOLDING ORDER FILED BY DEFT Attorney: SLICER III, CHARLES W (0059927)	
11/10/2014	ENTRY FILED	ENTRY OVERRULING DEFENDANT'S MOTION FOR WITHHOLDING ORDER FILED. THIS COURT NO LONGER HAS JURISDICTION OVER THIS CASE DUE TO PLAINTIFF'S TIMELY APPEAL FILED IN THE SECOND DISTRICT COURT OF APPEALS. 14-11-0884 TO 0886	\$6.00

<b>Financial Summary</b>
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Cost Type	Amount Owed	Amount Paid	Amount Adjusted	Amount Outstanding
Cost	\$734.65	\$698.65	\$0.00	\$36.00
Deposit	\$105.00	\$105.00	\$0.00	\$0.00
	<b>\$839.65</b>	<b>\$803.65</b>	<b>\$0.00</b>	<b>\$36.00</b>

  

Money on Deposit with the Court	
Account	Deposit Amount
DEPOSITS	\$0.00
	<b>\$0.00</b>

Case Disposition		
Disposition	Date	Case Judge
Trial by Judge - Form B	09/12/2014	HURLEY, STEVEN L

Additional Fields	
PLACE OF MARRIAGE	WRIGHT PATTERSO AFB OHIO
DATE OF MARRIAGE	7/3/2012
NUMBER OF CHILDREN UNDER 18	00
GROUND FOR DIV BY HUSBAND	INCOMPATIBLE
DATE OF FINAL DECREE TO HUSBAND	X
DATE OF FINAL DECREE TO WIFE	9-12-2014
	X
	X

**2014 CA 0046**

Case Type: COURT OF APPEALS  
 Status Date: 10/10/2014  
 Case Judge:  
 Next Event:

Case Status: Open  
 File Date: 10/10/2014  
 DCM Track:

- All Information
- Party
- Docket
- Financial
- Disposition

**Party Information**

**EVANS BARTON, KEESHA A - Appellee**

DOB: [Redacted] Address: [Redacted] Phone: [Redacted]  
 DOD: [Redacted] Alias: [Redacted]

Attorney/Bar Code: SLICER, III, CHARLES W (0059927) Phone Number: (937)223-1100

[More Party Information](#)

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**BARTON, DOUGLAS C - Appellant**

DOB: [Redacted] Address: 437 WARWICK PLACE  
 DOD: [Redacted] Phone: FAIRBORN, OH 45324

Alias: [Redacted]

Attorney/Bar Code: PRO SE Phone Number: [Redacted]

[More Party Information](#)

**Docket Information**

Date	Description	Docket Text	Amount
10/10/2014	NOTICE OF APPEAL TO THE SECOND DISTRICT COURT OF APPEALS FILED - COPY TO COA	NOTICE OF APPEAL TO THE SECOND DISTRICT COURT OF APPEALS FILED - COPY TO COA Receipt: 268279 Date: 10/10/2014	\$0.00
10/10/2014	NOTICE OF APPEAL FILED - COPY TO COA	NOTICE OF APPEAL FILED - COPY TO COA Receipt: 268279 Date: 10/10/2014	\$0.00
10/10/2014	CIVIL DOCKETING STATEMENT FILED - COPY TO COA	CIVIL DOCKETING STATEMENT FILED - COPY TO COA	
10/10/2014	TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES	TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES ALONG WITH ALL ORIGINAL PAPERS FROM GREENE COUNTY DOMESTIC RELATIONS COURT CASE (#) FILED	
10/10/2014	SPECIAL PROJECTS FEE SECOND DISTRICT COURT OF APPEALS FILED	SPECIAL PROJECTS FEE SECOND DISTRICT COURT OF APPEALS FILED Receipt: 268279 Date: 10/10/2014	\$0.00
10/10/2014	PRAECIPE TO THE CLERK FILED	PRAECIPE TO THE CLERK FILED - COPY TO COA	\$1.00
10/10/2014	PRAECIPE TO THE COURT REPORTER	PRAECIPE TO THE COURT REPORTER - COPY TO COA	\$1.00
10/28/2014	NOTICE OF HEARING FILED	NOTICE OF APPEARANCE PRO SE FOR DOUGLAS BARTON FILED - COPY TO COA	
10/28/2014	MOTION FOR		

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfz6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
		PRO SE EMERGENCY MOTION TO PREPARE TRANSCRIPTS OF PROCEEDINGS AT STATES EXPENSE FILED - COPY TO COA	
11/07/2014	MOTION FOR	PRO SE EMERGENCY MOTION FOR INJUNCTIVE RELIEF OF TRIAL COURT ORDERS FILED - COPY TO COA	
11/07/2014	AFFIDAVIT FILED	PRO SE AFFIDAVIT ORDER OF HEARING AND ORAL ARGUMENT REQUEST FILED - COPY TO COA	
11/07/2014	MOTION FOR	MOTION TO WITHDRAW AS COUNSEL FOR APPELLANT FILED - COPY TO COA Attorney: MORRISON, CHARLES W (0084368)	
11/14/2014	DECISION AND ENTRY FILED	DECISION AND ENTRY FILED - MOTION TO WITHDRAW AS COUNSEL FOR APPELLANT IS GRANTED - 14 11 1394 - 1395	\$2.00
12/09/2014	MISCELLANEOUS CASE FILED	PRO SE APPELLANTS PETITION FOR LEAVE OF COURT TO FILE BRIEF LONGER THAN 25 PAGES FILED - COPY TO COA	
12/09/2014	DECISION AND ENTRY FILED	DECISION AND ENTRY FILED - REGARDING PREMATURE REQUEST FOR ORAL ARGUMENT - 14 12 1038 - 1040	\$6.00
12/09/2014	DECISION AND ENTRY FILED	DECISION AND ENTRY FILED - APPELLANTS NOV 7 2014 EMERGENCY MOTION FOR INJUNCTIVE RELIEF OF TRIAL COURT ORDERS - 14 12 1041 - 1043	\$6.00
12/15/2014	MISCELLANEOUS CASE FILED	PRO SE APPELLANTS DEMAND FOR DETERMINATION (SIC) OF VOID JUDGMENT FILED - COPY TO COA	
12/15/2014	APPELLANTS BRIEF FILED - COPY TO COA	PRO SE APPELLANTS BRIEF FILED - COPY TO COA	\$1.00
12/15/2014	DECISION AND ENTRY FILED	DECISION AND ENTRY FILED - EMERGENCY MOTION TO PREPARE TRANSCRIPTS OF PROCEEDINGS AT STATES EXPENSE IS OVERRULED - APPELLANT SHALL CAUSE COMPLETION OF THE RECORD WITHIN 20 DAYS OF THIS ORDER - 14 12 1758 - 1760	\$6.00
12/24/2014	ORDER FILED	MAGISTRATE'S ORDER FILED - APPELLANT'S MOTION FOR LEAVE TO FILE A BRIEF IN EXCESS OF 25 PAGES IS GRANTED. APPELLANT'S BRIEF SHALL NOT EXCEED 35 PAGES - SO ORDERED - COPY TO COA - 14-12-3329	\$2.00
12/29/2014	MOTION FOR	MOTION TO STRIKE AND OTHER RELIEF FILED - COPY TO COA CHARLES W SLICER III (Attorney) on behalf of KEESHA A EVANS BARTON (Appellee)	\$1.00
01/05/2015	MAGISTRATES ORDER REGARDING BRIEF DUE DATE	MAGISTRATES ORDER FILED - APPELLANTS REQUEST FOR ORAL ARGUMENT IS SUSTAINED - CASE WILL BE SET FOR ORAL ARGUMENT AT THE EARLIEST DATE AVAILABLE, AFTER ALL BRIEFS HAVE BEEN FILED - 15 01 0007	\$2.00
01/05/2015	OBJECTION FILED	PRO SE APPELLANTS OBJECTION TO APPELLEES MOTIONS, AND OBJECTION TO APPEAL COURTS REJECTED MOTION FOR TRANSCRIPTS FILED - COPY TO COA	
01/09/2015	MOTION FOR	MOTION TO DISMISS FILED - COPY TO COA Attorney: SLICER III, CHARLES W (0059927)	
01/13/2015	RULE 11B NOTIFICATION RECORD FOR APPEAL IS COMPLETE FILED - NOTICES SENT BY REG MAIL	RULE 11B NOTIFICATION RECORD FOR APPEAL IS COMPLETE FILED - NOTICES SENT BY REG MAIL	\$6.00
01/13/2015	REGULAR MAIL SERVICE	Issue Date: 01/13/2015 Service: CA - RULE 11B NOTIFICATION Method: 2 Regular Mail Cost Per: \$3.00	\$6.00

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
		EVANS BARTON, KEESHA A c/o ATTY: SLICER III, CHARLES W 111 W FIRST STREET SUITE 205 DAYTON, OH 45402 Tracking No: R000019335	
		BARTON, DOUGLAS C 437 WARWICK PLACE FAIRBORN, OH 45324 Tracking No: R000019336	

Financial Summary				
Cost Type	Amount Owed	Amount Paid	Amount Adjusted	Amount Outstanding
Cost	\$114.00	\$74.00	\$0.00	\$40.00
Deposit	\$51.00	\$51.00	\$0.00	\$0.00
	<b>\$165.00</b>	<b>\$125.00</b>	<b>\$0.00</b>	<b>\$40.00</b>

  

Money on Deposit with the Court	
Account	Deposit Amount
DEPOSITS	\$51.00
	<b>\$51.00</b>

Case Disposition		
Disposition	Date	Case Judge
Undisposed		

**2014 CA 0021**

Case Type: COURT OF APPEALS  
 Status Date: 05/16/2014  
 Case Judge:  
 Next Event:

Case Status: Closed  
 File Date: 05/16/2014  
 DCM Track:

- All Information
- Party
- Docket
- Financial
- Disposition

**Party Information**

**BARTON, KEESHA A - Appellee**

DOB  Address  Phone   
 DOD  Alias

Attorney/Bar Code  Phone Number   
 SLICER, III, CHARLES W (0059927) (937)223-1100

[More Party Information](#)

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**BARTON, DOUGLAS C - Appellant**

DOB  Address  437 WARWICK PLACE  
 DOD  FAIRBORN, OH 45324  
 Phone

Alias

Attorney/Bar Code  Phone Number   
 PRO SE

[More Party Information](#)

**Docket Information**

Date	Description	Docket Text	Amount
05/16/2014	NOTICE OF APPEAL TO THE SECOND DISTRICT COURT OF APPEALS FILED - COPY TO COA	NOTICE OF APPEAL TO THE SECOND DISTRICT COURT OF APPEALS FILED - COPY TO COA Receipt: 261838 Date: 05/16/2014	\$0.00
05/16/2014	NOTICE OF APPEAL FILED - COPY TO COA	NOTICE OF APPEAL FILED - COPY TO COA Receipt: 261838 Date: 05/16/2014	\$0.00
05/16/2014	CIVIL DOCKETING STATEMENT FILED - COPY TO COA	CIVIL DOCKETING STATEMENT FILED - COPY TO COA	
05/16/2014	TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES	TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES ALONG WITH ALL ORIGINAL PAPERS FROM GREENE COUNTY DOMESTIC RELATIONS COURT CASE 2013DV0193 FILED	
05/16/2014	SPECIAL PROJECTS FEE SECOND DISTRICT COURT OF APPEALS FILED	SPECIAL PROJECTS FEE SECOND DISTRICT COURT OF APPEALS FILED Receipt: 261838 Date: 05/16/2014	\$0.00
05/16/2014	PRAECIPE TO THE CLERK FILED	STATEMENT AND PRAECIPE (COMPLETE TRANSCRIPT) FILED - COPY TO COA	\$1.00
05/16/2014	PRAECIPE TO THE COURT REPORTER	REQUEST FOR TRANSCRIPT FILED - COPY TO COA	\$1.00
05/16/2014	MOTION FOR	MOTION FOR STAY OF TRIAL COURT ORDERS FILED - COPY TO COA	\$1.00

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
05/30/2014	MOTION FOR 1ST EXTENSION OF TIME TO FILE APPELLANTS BRIEF FILED - COPY TO COA	MOTION FOR 1ST EXTENSION OF TIME TO FILE APPELLANTS BRIEF FILED - COPY TO COA	\$1.00
06/17/2014	MAGISTRATES ORDER REGARDING BRIEF DUE DATE	MAGISTRATES ORDER FILED - APPELLANTS MOTION FOR AN EXTENSION OF TIME TO FILE BRIEF IS OVERRULED AS PREMATURE - THE COURT SHALL CONSTRUE THIS MOTION AS ONE FOR AN EXTENSION OF TIME TO FILE RECORD - THAT MOTION IS GRANTED - THE RECORD IS NOW DUE TO BE FILED ON OR BEFORE JULY 15, 2014 - 14 06 2864	\$2.00
06/27/2014	JUDGMENT ENTRY FILED;	JUDGMENT ENTRY (IN LOWER COURT) FILED; EXTENSION OF TIME TO FILE TRANSCRIPT	\$2.00
07/07/2014	TRANSCRIPT OF PROCEEDINGS FILED - COPY TO COA	TRANSCRIPT OF PROCEEDINGS (HEARING OF APRIL 14, 2014) (DOMESTIC VIOLENCE SECOND HEARING ) FILED - COPY TO COA	
07/08/2014	RULE 11B NOTIFICATION RECORD FOR APPEAL IS COMPLETE FILED - NOTICES SENT BY REG MAIL	RULE 11B NOTIFICATION RECORD FOR APPEAL IS COMPLETE FILED - NOTICES SENT BY REG MAIL	\$6.00
07/08/2014	REGULAR MAIL SERVICE	Issue Date: 07/08/2014 Service: CA - RULE 11B NOTIFICATION Method: 2 Regular Mail Cost Per: \$ 3.00  BARTON, KEESHA A c/o ATTY: SLICER III, CHARLES W 111 W FIRST STREET SUITE 205 DAYTON, OH 45402 Tracking No: R000018718  BARTON, DOUGLAS C 437 WARWICK PLACE FAIRBORN, OH 45324 Tracking No: R000018719	\$6.00
07/11/2014	APPELLANTS BRIEF FILED - COPY TO COA	PRO SE APPELLANTS BRIEF FILED - COPY TO COA	\$1.00
07/29/2014	NOTICE OF HEARING FILED	NOTICE OF APPEARANCE FILED Attorney: SLICER III, CHARLES W (0059927)	
07/29/2014	MOTION FOR 1ST EXTENSION OF TIME TO FILE APPELLEES BRIEF FILED - COPY TO COA	MOTION FOR 1ST EXTENSION OF TIME TO FILE APPELLEES BRIEF FILED - COPY TO COA Attorney: SLICER III, CHARLES W (0059927)	\$1.00
08/11/2014	MAGISTRATES ORDER REGARDING BRIEF DUE DATE	MAGISTRATES ORDER FILED - APPELLEE'S MOTION TO EXTEND TIME FOR FILING BRIEF IS GRANTED - BRIEF IS NOW DUE TO BE FILED ON OR BEFORE 08-20-14 - 14-08-1035	\$2.00
08/20/2014	APPELLEES BRIEF FILED - COPY TO COA	APPELLEES BRIEF FILED - COPY TO COA CHARLES W SLICER III (Attorney) on behalf of KEESHA A BARTON (Appellee)	\$1.00
09/05/2014	CASE SUBMITTED TO DAYTON COA WITH LOWER CASE	CASE SUBMITTED TO DAYTON COA WITH LOWER CASE	
10/27/2014	DECISION AND ENTRY FILED	DECISION AND ENTRY FILED - IT IS THEREFORE ORDERED THAT THE APPELLANT SHALL HAVE FIFTEEN DAYS FROM THE FILING OF THIS ORDER IN WHICH TO SUPPLEMENT THE RECORD WITH	\$4.00

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Date	Description	Docket Text	Amount
		EITHER THE ORIGINAL EXHIBITS OR COPIES THEREOF BY FLING THE SAME WITH HE TRIAL COURT. APPELLEE SHALL HAVE 5 DAYS THEREAFTER TO RAISE, IN THE TRIAL COURT, ANY OBJECTIONS THERETO. THE EXHIBITS AND OBJECTIONS SHALL BE SUBMITTED TO THE TRIAL COURT OF SETTLEMENT AND APPROVAL. THEREAFTER, THE CLERKS OFFICE SHALL FORWARD TO THIS COURT THE APPROVED EXHIBITS - 14 10 3532 - 3533	
10/28/2014	RESPONSE FOR	PROSE RESPONSE TO PER CURIAM FILED - COPY TO COA	\$1.00
12/09/2014	MISCELLANEOUS CASE FILED	PRO SE APPELLANT DEMAND FOR DETERMINATION (SIC) OF VOID JUDGMENT FILED - COPY TO COA	
12/09/2014	DECISION AND ENTRY FILED	AMENDED DECISION AND ENTRY FILED - APPELLEE KEESHA BARTON SHALL HAVE 15 DAYS FROM THE FILING OF THIS ORDER IN WHICH TO SUPPLEMENT THE RECORD WITH EITHER THE ORIGINAL EXHIBITS OR COPIES THEREOF B FILING THE SAME WITH THE TRIAL COURT - APPELLANT DOUGLAS BARTON SHALL HAVE 5 DAYS TO FILE ANY OBJECTION - 14 12 1033 - 1035	\$6.00
12/09/2014	DECISION AND ENTRY FILED	DECISION AND ENTRY FILED - MOTION TO ADD A FIFTEENTH ASSIGNMENT OF ERROR IS DENIED - 14 12 1036 - 1037	\$4.00
12/10/2014	MISCELLANEOUS CASE FILED	EXHIBITS RECEIVED FROM LOWER COURT AND SENT TO COA	
12/15/2014	RESPONSE FOR	PETITIONER-APPELLES RESPONSE TO THE AMENDED DECISION AND ENTRY RENDERED ON THE 5TH DAY OF DECEMBER 2014 - COPY TO COA Attorney: SLICER III, CHARLES W (0059927)	\$1.00
01/05/2015	RESPONSE FOR	PRO SE APPELLANTS RESPONSE TO AMENDED PER CURIAM FILED - COPY TO COA	\$1.00
01/13/2015	OPINION FILED - JUDGMENT OF THE TRIAL COURT IS	OPINION FILED - JUDGMENT OF THE TRIAL COURT IS REVERSED - 15 01 1423 - 1433	\$22.00
01/13/2015	FINAL ENTRY FILED - COPY TO THE COA - JUDGMENT OF THE TRIAL COURT IS	FINAL ENTRY FILED - COPY TO THE COA - JUDGMENT OF THE TRIAL COURT IS REVERSED - 15 01 1434 - 1435	\$4.00
01/14/2015	REGULAR MAIL SERVICE	Issue Date: 01/14/2015 Service: CV CERTIFICATE OF MAILING Method: 2 Regular Mail Cost Per: \$3.00  BARTON, KEESHA A c/o ATTY: SLICER III, CHARLES W 111 W FIRST STREET SUITE 205 DAYTON, OH 45402 Tracking No: R000019339  BARTON, DOUGLAS C 437 WARWICK PLACE FAIRBORN, OH 45324 Tracking No: R000019340	\$6.00

Financial Summary				
Cost Type	Amount Owed	Amount Paid	Amount Adjusted	Amount Outstanding
	\$199.00	\$125.00	\$0.00	\$74.00

<http://courts.co.greene.oh.us/eservices/?x=rzmGvj7Kwf0VX0lkpFGjq7FoU2NznKfZ6WJ...> 1/16/2015

Cost Type	Amount Owed	Amount Paid	Amount Adjusted	Amount Outstanding
Cost	\$148.00	\$74.00	\$0.00	\$74.00
Deposit	\$51.00	\$51.00	\$0.00	\$0.00
	<b>\$199.00</b>	<b>\$125.00</b>	<b>\$0.00</b>	<b>\$74.00</b>

  

Money on Deposit with the Court	
Account	Deposit Amount
DEPOSITS	\$51.00
	<b>\$51.00</b>

Case Disposition		
Disposition	Date	Case Judge
Undisposed		