SUPREME COURT OF OHIO

THE STATE OF OHIO ex rel.	:	
DOUGLAS C. BARTON	:	
Relator, Pro Se	:	Supreme Court Case No:
437 Warwick Place	:	
Fairborn, OH 45324	:	**2014-2241**
Relators,	:	
vs.	:	
KEESHA A. BARTON	:	
and	:	Case No. 2013-DR-0207
TIMOTHY CAMPBELL	:	Court of Appeals No. 2014-CA-0046
(Personal & Professional Capacity)	:	
and	:	Case No. 2013-DV-0193
STEPHEN HURLEY	:	Court of Appeals No. 2014-CA-0021
(Personal & Professional Capacity)	:	
and	:	
Greene County Domestic Relations Court,	:	
et. al.	:	
and	:	
Charles Slicer	:	
and	:	**MEMORANDUMOF SUPPORT**
David McNamee	:	**VOLUME 1 OF 2**
and	:	
Ohio 2nd District Court of Appeals	:	
Respondents,	:	

MEMORANDUM OF SUPPORT VOLUME 1 OF 2

The purpose of this page is to act as a coversheet for filing purposes. The following document is full file-stamped copy of Demand for Determination of Void Judgment filed at trial court level. This document is additional Memorandum of Support for Motion for Relief of Judgment.

Submitted,

DOUGLAS C. BARTON,
APPELLANT, PRO SE
437 WARWICK PLACE
FAIRBORN, OH 45324
513-508-7515

FILED

2015 SEP 10 PM 3:29

TERR A. MAZ R, CLERK
COMMON PLEAS COURT
GREENE COUNTY OHIO

IN THE COURT OF COMMON PLEAS COURT

OF GREENE COUNTY OHIO

DOMESTIC RELATIONS DIVISION

DOUGLAS C. BARTON	:	Case No: 2013-DR-0207
Plaintiff, Pro Per	:	Case No: 2013-DV-0193
v.	:	Case No: 2013-DV-0196
KEESHA A. BARTON	:	
Defendant	:	**DEMAND FOR DETERIMINATION**
	:	**OF VOID JUDGMENT, DEMAND FOR JURY**
	:	**TRIAL, AND OTHER MOTION(S)**

DEMAND FOR DETERIMINATION OF VOID JUDGMENT, DEMAND FOR JURY TRIAL, AND OTHER MOTION(S)

1 Now comes the Plaintiff-Appellant Douglas C. Barton, Pro Per by SPECIAL APPEARANCE: to
2 DEMAND DETERMINATION of "VOID JUDGMENT" that was filed in the Greene County Domestic
3 Relations Court on 11/26/13, 4/14/14, 9/12/14 . Pursuant to Federal Rules of Civil Procedure Rule

APPROVED FOR FILING
COMPLIANCE OFFICE

60(b)(1)(2)(3)(4)(5)(6) and Ohio Rules of Civil Procedure 60(B)(1)(2)(3)(5) this **Motion for Relief from a Judgment or Void Order** is made.

MOTION FOR RELIEF FROM A JUDGMENT OR VOID ORDER

MOTION FOR BREACH OF CONTRACT-DAMAGES

COMPENSATORY AND PUNITIVE (UNSPECIFIED)

MOTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (IIED)

MOTION FOR ACTION OF WRONGFUL DEATH

MOTION FOR TORT OF SPOILATION DAMAGES[1]

COMPENSATORY AND PUNITIVE[2] (UNSPECIFIED)

SANCTIONS/ADVERSE INFERENCE[3]

MOTION FOR CONTINUANCE (DATE TBD)

MOTION FOR CHANGE OF VENUE[4]

Pursuant to the United States Constitution Article VI, Clause 2 paragraph 2 *"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."* (also known as the Supremacy Clause); and *Article VII "In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall*

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[1] The Supreme Court of Ohio held that a cause of action exists in tort for intentional spoliation against parties to the primary action as well as ***third parties***. (emphasis added) *Smith v. Howard Johnson Co., Inc.*, 67 Ohio St.3d 28, 29, 615 N.E2d 1037 (Ohio 1993). The elements required are: (1) pending or probable litigation involving the plaintiff; (2) knowledge on the part of the defendant that litigation exists or is probable; (3) willful destruction of evidence by defendant designed to disrupt plaintiff's case; (4) disruption of plaintiff's case; and (5) damages proximately caused by defendant's acts.

[2] Moskovitz v. Mt. Sinai Med. Ctr., 635 N.E.2d 331 (Ohio App. 1994)

[3] Barker v. Wal-Mart Stores, Inc., 2001 WL 1661961, 7 (Ohio Ct. App. Dec. 31, 2001)

[4] Oh.RoCP Rule 3 (C) 4

22 *be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United*
23 *States, than according to the rules of the common law.";* and the State of Ohio Constitution Article I, §5
24 TRIAL BY JURY *"The right of a trial by jury shall be inviolate, except that, in civil cases, laws may be*
25 *passed to authorize the rendering of a verdict by the concurrence of not less than three-fourths of the*
26 *jury."* ; and Ohio Rules of Civil Procedure Rule 38 Jury Trial of Right, Plaintiff hereby invokes those rights
27 and **DEMANDS A JURY TRIAL** as trier of facts and law. The definition of *"inviolate"* is : *adjective:* not
28 violated; kept sacred or unbroken. Application of Rule 75 is FRAUD UPON THE COURT, additional
29 concealment of misconduct of officers of the court; because it is directed at the judicial machinery
30 itself. Because you have absolutely proven beyond a reasonable doubt that you can not be trusted.

31 **DEMAND FOR JURY TRIAL**

32 **MOTION FOR RECUSAL OF CAMPBELL AND HURLEY**

33 **MOTION FOR DISMISSAL WITH PREJUDICE DEFENDANT(S) PENDING MOTION(S)**

34 -MOTION TO DISMISS (2013-DV-0196)

35 -MOTION FOR CONTEMPT (2013-DR-0207)

36 -ANY OTHER MOTIONS NOT SPECFICALLY MENTIONED

37 ## STATEMENT OF CLAIM(S)

38 **I Douglas C. Barton hereby DEMAND determination for void judgment for the following reasons:**

39 The Judge Stephen Hurley (#0016796) is alleged with particularity to have committed FRAUD
40 UPON THE COURT on Aug 13th 2015 because of his unconscionable scheme(s) to make
41 misrepresentation(s), corruption of a court official and judicial fraud through the court system. The

42 Plaintiff did file an Affidavit of Disqualification[5] with the Ohio Supreme Court; I was following the
43 S.Ct.Prac.R. 4.04 (B) (1) …. Notwithstanding[6] the requirements of S.Ct.Prac.R. 3.11(D), the ***party*** or
44 counsel filing the request "***shall provide a copy of the letter and affidavit to all parties to the case***."
45 [emphasis added]. Please refer to my original affidavit of disqualification page 14 for the Certificate of
46 Service. As such, it was sent by regular United States Mail, it seems evident that the parties received
47 them. Mr. Hurley's particular FRAUD UPON THE COURT is his issuance of a restraining order on Aug
48 13th 2015 against Plaintiff protecting Mr. Campbell; his action is a direct excess of jurisdiction and proof
49 beyond a reasonable doubt judicial fraud as conducted through the court system and "sham legal
50 process". His misuse of the appearance of lawful actions has directly caused the Plaintiff to not be
51 secure in his person or things; harassment by Greene Co Sheriff's Office (of which I have security video
52 recording(s) to substantiate). His actions are at a minimum clear and convincing evidence of FRAUD
53 UPON THE COURT[7]; causing great harm to the Plaintiff. His resulting order states *"…from personally*
54 *contacting Judge Campbell by any means, including but not limited to* ***personal contact, electronic***
55 ***contact, third party contact, by any form of United States mail, or any other form of mail delivery, or***
56 ***by telephone****….."*, this demonstrates clear and convincing evidence to conceal the FRAUD UPON THE
57 COURT. His actions are directed at the judicial machinery itself; because in my Affidavit of
58 Disqualification I specifically stated I would be calling Mr. Hurley and Mr. Campbell as witness to testify
59 to their respective parts of the FRAUD UPON THE COURT[8]. If I am prevented from third party contact

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[5] Date/Filed Stamped Aug 11th 2015 Case #15AP071; the docket of 2013-DR-0207 only indicates it was filed Aug 17th 2015 which is only the date received by Clerk of Courts Greene Co.
[6] Notwithstanding- preposition "in spite of; without being opposed or prevented by"
[7] In *Bulloch v. United States*, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted."
[8] See specific instances detailed throughout this document.

60 (i.e.; clerk of courts, an attorney), United States mail, or any other form of mail delivery; how will I
61 subpoena Mr. Campbell to testify or file legitimate court documents that are clear and convincingly
62 outside Mr. Hurley's jurisdiction. If one can't do those things, then the FRAUD UPON THE COURT
63 continues because of the concealment of the fraud. *"Should a judge issue any order after he has been*
64 *disqualified by law, and if the party has been denied of any of his / her property or rights, then the*
65 *judge may have been engaged in the Federal Crime of "interference with interstate commerce".* The
66 judge has acted in the judge's personal capacity and not in the judge's judicial capacity. The act of filing
67 the Affidavit of Disqualification, immediately suspends his jurisdiction (if any) on a temporary basis
68 until the matter is decided by the appropriate entity. The *prima facie* evidence alone supports a clear
69 and convincing act of malicious intent on the part of Mr. Hurley; causing great harm to the Plaintiff. His
70 action(s) are a direct violation of my First Amendment rights to free speech and constitute TREASON
71 against the United States of America.
72 The Judge Stephen Hurley (#0016796) is alleged with particularity to have committed FRAUD
73 UPON THE COURT on Jun 19th 2015 because of his unconscionable scheme(s) to make
74 misrepresentation(s), corruption of a court official and judicial fraud through the court system. The
75 Plaintiff filed an *"Application for Stay of Proceedings"*[9] on Jun 18th 2015, Mr. Hurley did initially act[10] on
76 the application, granting a stay until Sep 18th, 2015; He actions were not in accordance with the federal
77 statutory procedure associated with the application; specifically he calculated the date from the time
78 of the application and not from the date of scheduled hearing[11]. He failure to follow statutory
79 procedure is FRAUD UPON THE COURT, because of his actions the Plaintiff has suffered great harm.

[9] 2013-DV-0196
[10] see Continuance Order dated Jun 19th, 2015 time stamped 15:15 hrs.
[11] There are other types of calculation; i.e.; the member's statement will indicate date of availability, which could be more than 90 days.

80 The Judge Stephen Hurley (#0016796) is alleged with particularity to have committed FRAUD
81 UPON THE COURT on Jul 2nd 2015 because of his unconscionable scheme(s) to make
82 misrepresentation(s), corruption of a court official and judicial fraud through the court system. Mr.
83 Hurley issued a Decision and Order Jul 2nd 2015, withdrawing the previously granted continuance on
84 Jun 19th 2015. His actions were in part based on Defendant filing a motion of opposition; in the second
85 paragraph he goes on to state the Plaintiff failed to follow provisions of the SCRA. Specifically
86 referencing Plaintiff's memorandum that states the requirements of the SCRA; he then states that the
87 requirements were not meet due to "1) Statement of date of availability 2) Letter…. from Commanding
88 Officer….". Mr. Hurley's FRAUD UPON THE COURT is issuance of this order and demanding the Plaintiff
89 provide the information (which was in the original filing); his interference with and failure to follow
90 Federal Statute(s), his orders exceeded jurisdiction rendering him liable for criminal and civil
91 penalties[12].
92 The Judge Stephen Hurley (#0016796) is alleged with particularity to have committed FRAUD
93 UPON THE COURT on Jun 18th 2015 because of his unconscionable scheme(s) to make
94 misrepresentation(s), corruption of a court official and judicial fraud through the court system. The
95 Plaintiff filed an *"Application for Stay of Proceedings"*[13] on Jun 18th 2015, prior to filing pursuant to D.R.
96 Rule 5.05 the documents were presented to Ms. Waydo Compliance Officer for review. Ms. Waydo's
97 action of even reviewing the documents and subsequent direction to change them is subversion of my
98 14th Amendment rights to due process and equal protection of the laws[14]. Mr. Hurley's local rules of
99 the court directly contribute to the FRAUD UPON THE COURT, because of Rule 5.05 this directly

[12] (A) in an amount not exceeding $55,000 for a first violation; and (B) in an amount not exceeding $110,000 for any subsequent violation. Plus costs and attorney fees.
[13] 2013-DV-0196
[14] An attorney filing for a party is not required to be reviewed by this Compliance Officer.

100 subverts the equal access to the court; specifically an attorney is not required to follow Rule 5.05.
101 Because of his actions great harm was done to Plaintiff.

102 The Defendant Keesha A. Barton is alleged with particularity to have committed FRAUD UPON
103 THE COURT on Nov 18th 2013 because of her unconscionable scheme(s) to make misrepresentation(s)
104 through the court system. Keesha A. Barton through counsel of both parties entered into an
105 agreement (contract) during a pre-trial conference to ***"take no further actions"*** and full performance
106 of the antenuptial agreement (contract) in exchange for Douglas C. Barton's recommendation to the
107 Fairborn City Prosecutor to reduce her criminal Domestic Violence charge. Douglas C. Barton on Nov
108 26th 2013 did in fact recommend and/or agree to the reduction of charges to the Fairborn City
109 Prosecutor through the assigned Victim's Advocate of said office. Keesha A. Barton specifically took
110 action and filed Case #2013-DV-0193 on Nov 27th 2013, because of her direct actions she
111 misrepresented the contract(s)[15] to improperly influence the judicial machinery in her favor; in doing
112 so also creating a voidable contract. This is supported by the irrefutable evidence of the filing of Case
113 #2013-DV-0193. The contract agreement can be further supported by direct video/audio evidence of
114 the GDRC's surveillance system lobby on Nov 18th 2013. Keesha A. Barton did initially file "Pro Se" for
115 Case #2013-DV-0193, because her actions as an "Officer of the Court" this did cause a fundamental and
116 material breach of contract by the misrepresentation(s) through the court system.

117 The Defendant Keesha A. Barton is alleged with to have committed FRAUD UPON THE COURT
118 and ACTIONS FOR WRONGFUL DEATH on Nov 26, 2011 through present day because of her
119 unconscionable scheme(s) to make misrepresentation(s) through the court system. Keesha A. Barton's
120 wrongful acts, neglect, and concealment did materially contribute to the death of DYLAN C. BARTON

[15] Proof of Intent Not to Perform

121 on Nov 26th 2011. Because of her actions and her own admission to Plaintiff; she failed to properly
122 store, secure, and or provided prescription medications to DYLAN C. BARTON. The Greene Co. Coroner
123 toxicology report lists the prescription medication found at time of death. When we were looking over
124 the report, Plaintiff didn't take notice of anything unusual. Defendant then stated to the effect "oh
125 no"; She then asks me if I knew what Eszopiclone was. I responded with a "NO". She then informs me
126 that is the chemical name for the sleeping aid "Lunesta"; of which she (only person in either
127 household) had a prescription for. The Defendant's FRAUD UPON THE COURT, lies in creating an
128 extended process by abuse of judicial machinery; a direct effort to conceal her actions in the
129 WRONGFUL DEATH of DYLAN C. BARTON.

130 The Attorney Brian Penick (#0071489) is alleged with particularity to have committed FRAUD
131 UPON THE COURT on Nov 18th, Nov 26th, and Dec 4th 2013 because of his unconscionable scheme(s) to
132 make misrepresentation(s) through the court system. As counsel of record of Keesha A. Barton for
133 Case #2013-DR-0207, on Nov 18th 2013 he entered into an agreement (contract) as counsel during a
134 pre-trial conference to "take no further actions of his client" and full performance of the antenuptial
135 agreement (contract) by his client in exchange for Douglas C. Barton's recommendation to the Fairborn
136 City Prosecutor to reduce her criminal Domestic Violence charge. Douglas C. Barton on Nov 26th 2013
137 did in fact recommend and/or agree to the reduction of charges to the Fairborn City Prosecutor
138 through the assigned Victim's Advocate of said office. As counsel of record case for #CRB1301210[16], he
139 did accept the Plea Agreement offered by the Fairborn City Prosecutor, because he accepted the offer
140 of reduced charges he fully committed the Defendant to performance of her contractual obligations.
141 On Dec 4th 2013, Attorney Brian Penick (#0071489) failed to file an appearance as counsel of record

[16] State of Ohio v. Keesha A. Barton

142 for Keesha A. Barton on Case #2013-DV-0193, because of his failure to file a notice of appearance[17] he
143 deceived the court effectively obstructing the judicial process. On Dec 4th 2013, Attorney Brian Penick
144 (#0071489) did enter a Motion for Continuance (see court docket entries)[18] on Case #2013-DV-0193,
145 because of his action to file a motion for continuance he deceived the court effectively obstructing the
146 judicial process by preventing the scheduled hearing (Dec 4th 2013, 9am). His actions caused harm to
147 Douglas C. Barton, because it failed to allow the mandatory hearing within 10 days of the Complaint[19],
148 denial of U.S. Constitutional[20] rights, denial of Ohio Constitutional rights[21], and a fundamental
149 miscarriage of justice.

150 The Magistrate Cynthia Martin (#0059738) is alleged with particularity to have committed
151 FRAUD UPON THE COURT on Nov 18th, Nov 27th, and Dec 4th 2013 because of her unconscionable
152 scheme(s) to make misrepresentation(s) and judicial fraud through the court system. Ms. Martin was
153 the Magistrate of Record for the Nov 18th 2013 hearing in Case #2013-DR-0207. Ms. Martin conducted
154 an *ex parte* hearing on Nov 27th with Defendant, because of the hearing she granted a temporary
155 protection order which has caused unwarranted harm and suffering to the Plaintiff. She subsequently
156 granted a motion for continuance on Dec 4th 2013, causing further harm to Plaintiff. As a judicial
157 officer[22] her failure to follow statutory procedures resulted in FRAUD UPON THE COURT, because of

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[17] S.Ct.Prac.R. 2.01. (B) Notice of appearance and withdrawal (2) Any attorney who first appears in a case after the first document has been filed by the party that the attorney represents shall do one of the following: (a) File a notice of appearance identifying the party on whose behalf the attorney is appearing; (b) Specify on the document being filed that this is the attorney's first appearance in the case; (c) If the document is filed through the E-Filing Portal, add the attorney and identify the party the attorney represents.
[18] Case #2013-DV-0193 is no longer visible from the public domain.
[19] Per O.R.C. 3113.31
[20] U.S. Constitution- 5th, 6th, & 14th Amendments
[21] Ohio Constitution- Article 1, §10a Rights of Victims of Crimes
[22] S.Ct. Judicial Code of Conduct; RULE 1.2 Promoting Confidence in the Judiciary A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety. Canon 2 A judge shall perform the duties of judicial office impartially, competently, and Diligently; RULE 2.3 Bias, Prejudice, and Harassment

158 her actions my civil rights were willfully violated. Her willfulness has been characterized by open
159 defiance and reckless disregard of my Constitutional rights, because of her actions the Plaintiff has
160 suffered direct monetary damages. The resulting order of protection was eventually overturned by the
161 Second District Court of Appeals "abuse of discretion" and "not supported by manifest weight of
162 evidence" standard.

163 The Magistrate Kimberly Combs[23] (#0067236) is alleged with particularity to have committed
164 FRAUD UPON THE COURT on Dec 2nd 2013 because of her unconscionable scheme(s) to make
165 misrepresentation(s) and judicial fraud through the court system. Ms. Combs was the Magistrate of
166 record for the *ex-parte* hearing on Case #2013-DV-0196. Ms. Combs failed to act on my specific claims
167 of due process violations regarding the filing of Case #2013-DV-0193, because of her specific actions
168 inspire loss of confidence and impartiality of the judiciary. I know your response will be, but she didn't
169 act because of judicial discretion, or some other excuse. A principal part of my argument to this is "lack
170 of action" denotes being a bystander or subjecting themselves to the bystander effect. This statement
171 applies to other paragraphs; The inferred responsibility by virtue of the individual(s) government
172 position is it inherently creates the expectation that they should do something to help those in distress,
173 not compound the errors of others.

174 The court officer Sheri Hall is alleged with particularity to have committed FRAUD UPON THE
175 COURT on Dec 4th 2013 because of her unconscionable scheme(s) to make misrepresentation(s)
176 through the court system. When I arrived at GDRC on the morning of Dec 4th 2013 for the hearing on
177 the temporary protection order, Sheri Hall was the court officer dispatched to speak with me. Ms. Hall
178 informed me that the hearing had been continued, I informed her I did not agree to a continuance and

[23] Ms. Combs was identified as Kimberly Metzler-Stump during filing of Federal Lawsuit 3:14-CV-0001.

179 it was the courts responsibility to provide me a hearing within 10 days. I further informed her this was
180 a violation of my civil rights, Ms. Hall then proceed to "remind" me the protection was still valid.
181 Because of Ms. Hall's complete disregard for my civil rights, her actions directly caused harm to my
182 person. Ms. Hall's recommendation to retain an attorney for Case #2013-DV-0193, was in fact a
183 scheme to fraudulently acquire jurisdiction on behalf of the court. Ms. Hall's failure to act when
184 informed that civil rights violations were occurring caused significant harm, because of her
185 misrepresentation to the court of the facts; the court had in fact lost jurisdiction at that very
186 moment[24]. Ms. Hall's personal actions, lack of action and complete disrespect of my civil rights have
187 caused harm because the systematic behavior of Ms. Hall materially misrepresented my position to the
188 court.

189 The Attorney Thomas Blaschak (#0059731) is alleged with particularity to have committed
190 FRAUD UPON THE COURT on Aug 13th 2013 because of his unconscionable scheme(s) to make
191 misrepresentation(s) through the court system. As attorney of record for Douglas C. Barton, he failed
192 to properly file initial divorce action complaint because he failed to inform the court of the antenuptial
193 agreement. He was specifically ordered by Plaintiff to subpoena the antenuptial agreement from
194 Defendant and Mr. McNamee (#0068582). This contract is instrumental in providing direction to the
195 court, because of his actions significant harm was done. Specifically the judgment entry of Sep 12th
196 2014 in Case #2013-DR-0207.

197 The Attorney Anthony Lush (#0046565) is alleged with particularity to have committed FRAUD
198 UPON THE COURT on Sep 4th 2013 because of his unconscionable scheme(s) to make
199 misrepresentation(s) through the court system. Mr. Lush filed an Answer & Counterclaim on behalf of

[24] See Argument and Law: Generally jurisdiction can be lost; a) Fraud in procurement of jurisdiction b) Fraud upon the court

200 Defendant, because of his failure to properly manage his duties and responsibilities as an "officer of
201 the court his actions (or lack thereof). Specifically a second Answer & Counterclaim was filed on Sep
202 13th 2013 by Attorney Brian Penick (#0071489), Mr. Lush failed to properly identify his if any
203 substitution or removal[25] as counsel for Defendant, this is a material misrepresentation(s) through the
204 court system as an intentional effort to obstruct the judicial process.

205 The Attorney Brian Penick (#0071489) is alleged with particularity to have committed FRAUD
206 UPON THE COURT on Sep 4th and Sep 19th 2013 because of his unconscionable scheme(s) to make
207 misrepresentation(s) through the court system. Mr. Penick filed an Answer & Counterclaim on behalf
208 of Defendant on Sep 4th 2013, because of his failure to properly manage his duties and responsibilities
209 as an "officer of the court his actions (or lack thereof), this is a material misrepresentation(s) through
210 the court system as an intentional effort to obstruct the judicial process. Mr. Penick filed a Notice of
211 Substitution of Counsel (for Defendant) on Sep 19th 2013, because of his specific failure to perform his
212 duties[26] as required by S.Ct.Prac.R.

213 The Judge Stephen Hurley (#0016796) is alleged with particularity to have committed FRAUD
214 UPON THE COURT on Nov 27th, and Dec 4th 2013 because of his unconscionable scheme(s) to make
215 misrepresentation(s), corruption of a court official and judicial fraud through the court system. Mr.
216 Hurley's position as the elected domestic relations judge places him in a position of responsibility for
217 supervision[27] of the magistrates, court officers, and court staff. His corrupted policies and continued

[25] S.Ct.Prac.R. 2.01. (B) Notice of appearance and withdrawal (3) Any attorney who has made an appearance in a case and later withdraws from representation of a party shall file a notice of withdrawal.
[26] S.Ct.Prac.R. 2.01. (B) Notice of appearance and withdrawal (2) Any attorney who first appears in a case after the first document has been filed by the party that the attorney represents shall do one of the following: (a) File a notice of appearance identifying the party on whose behalf the attorney is appearing; (b) Specify on the document being filed that this is the attorney's first appearance in the case; (c) If the document is filed through the E-Filing Portal, add the attorney and identify the party the attorney represents.
[27] S.Ct. Judicial Code of Conduct; RULE 2.12 Supervisory Duties (A) A judge shall require court staff, court officials, and others subject to the judge's direction and control to act in a manner consistent with the judge's obligations

218 practice to systematically deny certain litigants their civil rights, he has caused substantial distrust of
219 the judiciary, culture of partiality, promotes deceptive policies that do not protect the due process of
220 the citizens of Greene County causing substantial harm beyond the case at hand. Mr. Hurley
221 specifically failed to properly supervise Magistrate Martin on Nov 27th and Dec 4th 2013, because of his
222 lack of proper and sufficient supervision this resulted in denial of due process. He failed to institute
223 proper policies and safeguards to ensure the protection of civil rights and due process, because of his
224 direct failure to supervise, the hearing on Dec 4th 2013 was not granted pursuant to O.R.C 3113.31
225 (…must grant a hearing within 10 days). Mr. Hurley's failure to review the orders issued by magistrates
226 demonstrates an unconscionable scheme of misrepresentation to the court[28], corruption[29] and judicial
227 fraud.

228 Chronologically the factual events that transpired from inception of action[30] to on/or about Dec
229 4th 2013 culminated in the LOSS OF JURISDICTION both Personal and Subject Matter due to the FRAUD
230 UPON THE COURT. Any further proceedings were done under extreme duress and coercion of the
231 Plaintiff.

232 The preceding events are what lead to the conclusion (and factual evidence) to the filing of the
233 Federal Lawsuit 3:14-CV-0001 against Mr. Hurley, et. al. on Jan 2nd 2014. There was/is substantial
234 physical evidence to support the preceding events, because their specific actions or lack of action (to

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under this code. (B) A judge with supervisory authority for the performance of other judges shall take reasonable measures to ensure that those judges properly discharge their judicial responsibilities, including the prompt disposition of matters before them.

[28] The *"court"* is an entity not the individual officers (judicial, attorneys, et. al). I offer my apology to the *"court"* or to the *"people"* for stating previously Fraud ***of*** the Court, this was a unintentional misunderstanding on my part. This does not constitute an apology to any individual.

[29] **CORRUPTION**: An act done with an intent to give some advantage inconsistent with official duty and the rights of others. It includes bribery, but is more comprehensive; because an act may be corruptly done, though the advantage to be derived from it be not offered by another. http://www.lectlaw.com

[30] On June 26th, 2013 at approximately 2:00 pm., the Defendant Keesha A. Barton was arrested for Domestic Violence by the Fairborn Police Department. Fairborn Municipal Court case no. CRB 1301210

235 provide substantial justice) caused grievous injury to Douglas C. Barton's constitutional rights and
236 protections. In the Defendants[31] Motion to Dismiss they admit the factual allegations of the complaint
237 are true. (Section III, A, paragraph 2).

238 The Judge Stephen Hurley (#0016796) did enter an order on Feb 3rd 2014, transferring the
239 Case(s) to Judge Timothy Campbell due to judicial proceedings[14]. ***Mr. Hurley disqualified himself from***
240 ***any further action in these Case(s) at this time.*** {emphasis added} This is a critical statement to
241 remember; Mr. Hurley's additional FRAUD UPON THE COURT are stated at the very beginning of this
242 document and elsewhere throughout.

243 The Attorney Dalma Grandjean (#0024841) is alleged with particularity to have committed
244 FRAUD UPON THE COURT on Sep 4th and Sep 19th 2013 because of her unconscionable scheme(s) to
245 make misrepresentation(s) through the court system. Ms. Grandjean filed a Notice of Appearance on
246 Jan 9th 2014 on behalf of Defendant. At the hearing on Feb 7th 2014, Ms. Grandjean presented a
247 proposal in which her client would agree to dismissal of Case #2013-DV-0193 in exchange for Plaintiff's
248 verified statement that he lied about her arrest relating to Case #CRB1301210 to the United States Air
249 Force (USAF). Plaintiff rejected this offer, as it was an attempt at extortion and solidifying the
250 Defendant's FRAUD UPON THE COURT, secondly the Plaintiff did not personally arrest Defendant; the
251 City of Fairborn Police Officer[32] obviously found ample probable cause to arrest of the Defendant. Ms.
252 Grandjean's proposal was/is an attempt to have Plaintiff execute a Federal[33] level "filing of a false
253 statement", because of her intent to deceive she made a material misrepresentation to the court. The

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[31] *Barton v. Hurley, et. al*, 3:14-CV-0001

[32] Evidence of the report of arrest (a public record) is available to corroborate statement, same document can identify the specific officer.

[33] Plaintiff and Defendant are both subject to the jurisdiction of the Uniform Code of Military Justice (UCMJ). UCMJ Article 107 Any person subject to this chapter who, with intent to deceive, signs any false record, return, regulation, order, or other official document, knowing it to be false, or makes any other false official statement knowing it to be false, shall be punished as a court-martial may direct.

254 supporting evidence is the audio/video security system recordings of the GCDRC lobby for Feb 7th
255 2014.

256 The Attorney Charles Slicer (#0059927) is alleged with particularity to have committed FRAUD
257 UPON THE COURT on Apr 14th 2014 because of his unconscionable scheme(s) to make
258 misrepresentation(s) through the court system. Mr. Slicer through material misrepresentation of the
259 issues before the court colluded with Judge Timothy Campbell to cause FRAUD UPON THE COURT,
260 because of his actions the Plaintiff was coerced into allowing Mr. Blaschak withdrawal as counsel for
261 Plaintiff subsequently substituting Mr. Morrision as counsel. The coercion occurred during the middle
262 of the hearing on Apr 14th 2014, as the Plaintiff was under duress to accept the situation. Mr. Slicer's
263 direct actions improperly influenced the court caused material harm to the Plaintiff.

264 The Judge Timothy Campbell (#0005527) is alleged with particularity to have committed
265 FRAUD UPON THE COURT on Apr 14th 2014 because of his unconscionable scheme(s) to make
266 misrepresentation(s), corruption of a court official and judicial fraud through the court system. Mr.
267 Campbell acting as a corrupt court official and through judicial fraud did conduct a scheme to deprive
268 the Plaintiff of his constitutional rights. Mr. Campbell failed to immediately dismiss the action in Case
269 #2013-DV-0193 based on the fact the Plaintiff was not granted a hearing within 10 days as mandated
270 by O.R.C 3113.31. Mr. Campbell did in fact proceed to conduct an entire hearing on that matter,
271 granting for the Defendant a protection order for 5 years. This was *"REVERSED"* by Second District
272 Court of Appeals Case #2014-CA-0021 under the *"abuse of discretion"* standard. Mr. Campbell did
273 demonstrate collusion with Mr. Slicer to coerce the Plaintiff into retaining new counsel in the middle of
274 a hearing, Mr. Campbell's actions did place the Plaintiff under duress and caused great mental anguish
275 and harm. Mr. Campbell's direct actions additionally caused monetary harm by his unfounded

276 judgments, because of his specific actions Plaintiff lost any and all confidence in the Judicial process.
277 Mr. Campbell also demonstrated judicial misconduct by not allowing evidence[34] of the Defendants
278 prior behavior to support my allegations and defeat hers. An examination of the Appellant Brief in Case
279 #2014-CA-0021 is documented proof that FRAUD had occurred in the procurement of judgment (even
280 though I did not characterize it as FRAUD UPON THE COURT at that time). The Appellant Brief Case
281 #2014-CA-0021 also accused Mr. Campbell of misconduct for facts detailed therein, because he
282 continued to remain as assigned judge it gives the appearance of partiality, bias, and prejudice.
283 Specifically he would have further opportunity to cause FRAUD UPON THE COURT, which will be
284 documented in following paragraphs.
285 The Attorney Charles Slicer (#0059927) is alleged with particularity to have committed FRAUD
286 UPON THE COURT on May 21st 2014 and Jun 6th 2014 because of his unconscionable scheme(s) to
287 make misrepresentation(s) through the court system. Mr. Slicer did (May 21st 2014) file several false
288 affidavits and other motions, furthering the initial fraud by Defendant. The first motion was for an
289 order "for immediate return and other relief filed"; Branch I & II specifically identify a 2005 KZ
290 Toyhauler (travel trailer) as being the central to the complaint. The FRAUD UPON THE COURT as
291 conducted by Defendant and Mr. Slicer lies within the irrefutable evidence that the 2005 KZ Toyhauler
292 was SOLEY titled (and in possession of) in Douglas C. Barton's name, and because of their claims
293 materially misrepresent the facts to misguide the court to infer a contempt of court via the mutual
294 restraining orders. Mr. Slicer presented evidence (Hearing June 6th, 2014) that the 2005 KZ Toyhauler
295 was jointly titled. He presented a new title that indicated joint ownership (Douglas C. Barton & Keesha
296 A. Barton); said "new" title had been issued during the pendency of these actions; because of his

[34] Fairborn Police Reports- A public record. S.Ct.R.o.E. RULE 401. Definition of "Relevant Evidence"

297 actions Mr. Slicer materially represented a manufactured Contempt of Court action thereby causing
298 harm. The blatant hypocrisy, Defendant alleges failure to abide by mutual restraining orders, but to
299 create the evidence ("new" title) she with the assistance of Mr. Slicer had to commit FELONY CRIMINAL
300 FRAUD[35] and violate the exact same order claiming relief under. This is much more substantial than
301 fraud between the parties, it was material fraud whose only intent would be to misguide the actions of
302 the court. This series of actions (by itself) by Defendant and Mr. Slicer demonstrate an unconscionable
303 scheme(s) to make misrepresentation(s) through the court system; thereby causing great harm to
304 Plaintiff. Mr. Slicer's personal action in this particular matter is exceptionally disturbing, as an "officer
305 of the court" his blatant disregard for the Rules of Professional Conduct is unconscionable at best, and
306 very likely *"beyond a reasonable doubt"* required for a Felony in conviction for his part in the fraud. The
307 basis for my statement that it is FELONY FRAUD; according to Ohio Revised Code Criminal Statue(s)[19]
308 detailed in footnote, the value of the vehicle, and the military status of those involved. Based on those
309 facts the conclusion is this is a Third Degree Felony, plus two additional Felonies for the manner in how
310 the crime was committed. During the July 9th & August 11th, 2014 hearing(s) respectively, the Plaintiff
311 presented evidence[36] and testimony of the Defendant's / Mr. Slicer's fraudulent activities in detail. The
312 Defendant conducted the fraud by obtaining a new title with both names through the use of theft,
313 securing writings by deception, telecommunications fraud; thereby encumbering the title to property.
314 Previously to the Defendant and Mr. Slicer's multiple acts fraud, the title was in the Plaintiff's name
315 solely. When I was investigating[37] how this could be done without my signature, the fraud was

[35] O.R.C. 2913.02 Theft. (B)(3); O.R.C. 2913.43 Securing writings by deception. (B)(3); O.R.C. 2913.05 Telecommunications Fraud; See Affidavit of Arrest for Keesha A. Barton that was filed in CASE #2014-2241 (part of the Opposition to Motion to Dismiss filing).
[36] See 2014-2241 Opposition to Motion to Dismiss; Lien Replacement for 2005 KZ Toyhauler dated 6/9/14
[37] I was ambushed with the "new" fraudulent title at the 6/6/14 hearing, I had fraud discovered and title corrected 6/9/14.

316 discovered. When I pointed this out to the Greene County Clerk of Courts-Title Division, they quickly
317 agreed; they immediately canceled the fraudulent title, and re-issued the previous title[20]. The Title
318 Division then assisted in explaining the situation to the Deputy Registrar's office to have the previous
319 registration re-instated. This is not simply about fraudulent documents, and false statements between
320 parties; the use of the fraudulent documents were materially used to corrupt and influence the
321 officer's of court commit FRAUD UPON THE COURT. Because of the Defendant and Mr. Slicer's direct
322 actions Plaintiff suffered great harm. Mr. Slicer's use of a *"sham legal process"*[38] is an additional
323 FELONY of the Fourth Degree, with no affirmative defense as the *"sham legal process"* was materially
324 used to FACILITATE a felony.

325 The Judge Timothy Campbell (#0005527) is alleged with particularity to have committed FRAUD
326 UPON THE COURT on Jun 6th and Aug 11th 2014 because of his unconscionable scheme(s) to make
327 misrepresentation(s), corruption of a court official and judicial fraud through the court system. Mr.
328 Campbell did not perform his judicial function, when presented clear and convincing evidence of the
329 title fraud and contempt of court orders, ignored the fraudulent acts. In fact (this is *"on the record"*)
330 during the Aug 11th 2014 hearing, Mr. Morrision had to advise me to say no more about the fraud as
331 Mr. Campbell was about to find me in direct contempt for complaining about the fraud and **NOTHING**
332 being done about it. This is clear and convincing evidence the successful application of the FRAUD
333 UPON THE COURT. Mr. Campbell's failure to administer justice and cause additional distress to the
334 Plaintiff in and of itself is clear and convincing evidence the FRAUD UPON THE COURT. Mr. Campbell's

[38] O.R.C 2921.52 Using Sham legal process (generally offenses against justice and public administration)

335 specific actions as detailed above are why I have referred to him as the DISHONORABLE[39] Mr. Campbell
336 in subsequent filings (I have personal knowledge of his actions; which beyond a reasonable doubt this
337 definition adequately describes him). Mr. Campbell's failure to act on the fraud demonstrates his bias,
338 prejudice and partiality to the Defendant and specific *"officers of the court"* chiefly Mr. Slicer. Mr.
339 Campbell's action is additionally an *"unlawful activity of a judge and judge not following a statutory*
340 *procedure"*, because of his position to administer justice and ignoring a FELONY is unconscionable,
341 these actions caused substantial harm to the Plaintiff.

342 The Defendant Keesha A. Barton is alleged with particularity to have committed FRAUD UPON
343 THE COURT on Nov 18th 2013 because of her unconscionable scheme(s) to make misrepresentation(s)
344 through the court system. The Defendant specifically committed fraud and contempt of court by
345 obtaining the fraudulent title and subsequent vehicle registration as detailed in two previous
346 paragraphs, because of her direct actions the Plaintiff suffered great and substantial harm.

347 The Attorney Charles Slicer (#0059927) is alleged with particularity to have committed FRAUD
348 UPON THE COURT on May 21st 2014 and Jun 6th 2014 because of his unconscionable scheme(s) to
349 make misrepresentation(s) through the court system. Mr. Slicer's use of a *"sham legal process"* to TAKE
350 DEPOSITION is materially FRAUD UPON THE COURT, specifically harassment of Plaintiff. Mr. Slicer's
351 discovery request under the auspices of Rules of Civil Procedure, Rule 26 however the information
352 actually requested was objectionable under R.C.P (B)(4) (a) whether the discovery sought is
353 unreasonably cumulative or duplicative; and (c) whether the party seeking discovery has had ample
354 opportunity by discovery in the action to obtain the information sought; and…. This filing request in

[39] Dishonorable; adj; showing lack of honor or integrity; ignoble; base; disgraceful;shameful: *Cheating is dishonorable.* 2. having no honor or good repute; unprincipled; disreputable: *a dishonorable man.*
http://dictionary.reference.com/browse/dishonorable

355 and of itself is FRAUD UPON THE COURT, because the information sought in discovery had already
356 been disclosed during initial filing. Mr. Slicer's actions specifically caused severe distress upon the
357 Plaintiff, as believed prior to the deposition that the SOLE purpose was to cause harassment and
358 further misrepresent to facts to the court; I have irrefutable proof[40] that properly characterizes Mr.
359 Slicer's actions and harm done is the continued bias of the court based on his actions.

360 The Court Process Server Thomas J. Muhleman is alleged with particularity to have committed
361 FRAUD UPON THE COURT and SHAM LEGAL PROCESS on May 21st 2014 and May 26th 2014 because of
362 his unconscionable scheme(s) to make misrepresentation(s) through the court system. Mr. Muhleman
363 did conspire with Mr. Slicer and Defendant to conduct FRAUD UPON THE COURT and SHAM LEGAL
364 PROCESS; because he caused a unlawfully issued summons to be served that was used to facilitate a
365 FELONY. He personal actions caused substantial harm, duress and continued the legal abuse being
366 conducted by the officers of the court and the Defendant.

367 The Attorney Charles Slicer (#0059927) is alleged with particularity to have committed FRAUD
368 UPON THE COURT and SHAM LEGAL PROCESS on May 21st, Jun 6th and Aug 11th 2014 because of his
369 unconscionable scheme(s) to make misrepresentation(s) through the court system. Mr. Slicer did (May
370 21st 2014) file several false affidavits and other motions, furthering the initial fraud by Defendant. Mr.
371 Slicer specifically did file a false motion for attorney's fees; requesting reimbursement for him
372 committing FELONY FRAUD. This caused great damage and harm to Plaintiff, not only did he commit
373 FRAUD and FRAUD UPON THE COURT, but to compound the injury he demanded direct payment for
374 the privilege of being a victim of his fraud. To say another way *"the thief stole from me, then expected*

[40] I have an audio recording of Mr. Slicer and Defendant from the deposition

375 *me to pay for his labor as a thief independent of the theft itself"*. His actions caused great harm and
376 distress to the Plaintiff.

377 The Attorney Charles Morrison (#0084368) is alleged with particularity to have committed
378 FRAUD UPON THE COURT on May 21st, May 30th, and Jun 6th 2014 because of his unconscionable
379 scheme(s) to make misrepresentation(s) through the court system. Mr. Morrison as counsel for the
380 Plaintiff did not file motions as directed by Plaintiff; specifically to file an objection to the Deposition
381 since it was purported by Plaintiff (at that time) to be harassment; pursuant to Ohio R.o.C.P. Rule 26 (C)
382 Protective orders. He was specifically ordered by Plaintiff to subpoena the antenuptial agreement from
383 Defendant and Mr. McNamee (#0068582). The belief that harassment was proving beyond a
384 reasonable doubt[41] at the deposition.

385 The Attorney Charles Slicer (#0059927) and Defendant Keesha A. Barton is alleged with
386 particularity to have committed FRAUD UPON THE COURT and SHAM LEGAL PROCESS on Jul 9th 2014
387 because of his unconscionable scheme(s) to make misrepresentation(s) through the court system. Mr.
388 Slicer did (Jul 9th 2014) file several false affidavits and other motions, furthering the initial fraud by
389 Defendant. The first motion was for an order "for immediate return and other relief filed"; Branch III &
390 IV specifically identify a 2005 KZ Toyhauler (travel trailer) as being the central to the complaint. The
391 FRAUD UPON THE COURT as conducted by Defendant and Mr. Slicer lies within the irrefutable
392 evidence that the 2005 KZ Toyhauler was SOLEY titled (and in possession of) in Douglas C. Barton's
393 name, and because of their claims materially misrepresent the facts to misguide the court to infer a
394 contempt of court via the mutual restraining orders (see also previous paragraph which gives great
395 detail on same subject, this is a separate and distinct instant of FRAUD UPON THE COURT). Branch I & II

[41] I have an audio recording of Mr. Slicer and Defendant from the deposition

396 specifically allege the cancelation of health insurance and life insurance; as I testified to the Defendant
397 & Mr. Slicer materially misrepresented to the court my actions (if any). Specifically to Branch I, the
398 Defendant was at that point in time ACTIVE DUTY MILITARY, in which the Department of Defense
399 provides 100% Healthcare (medical, dental, mental health, etc.). Shortly after the marriage, I did offer
400 to enroll the defendant in my employer healthcare coverage plan. It was not a monetary issue since I
401 was providing coverage for my daughter Aimee F. Barton (adult child from previous marriage-not over
402 26y). The healthcare provider did not "automatically" enroll the Defendant; they sent a substantial
403 amount of forms requiring detailed personal health history to be completed by Defendant. The
404 Defendant failed to complete and return the forms in the allocated timeframe. It was singularly a
405 failure of her personal responsibility to provide the requested information that prevented the
406 completion of enrollment. The FRAUD UPON THE COURT is the Defendant & Mr. Slicer materially
407 withheld this information to infer to the court a presumption of guilt on the part of the Plaintiff.
408 Specifically to Branch II, the Defendant and Mr. Slicer materially misrepresented to the court the
409 cancellation of a life insurance policy through Plaintiff's employer. I now have irrefutable evidence that
410 proves beyond a reasonable doubt that the Defendant was NOT covered by employer insurance
411 program. To the best of my knowledge, the Defendant was never listed as a beneficiary nor a covered
412 party. They produced no documented evidence to prove otherwise. I did specifically testify to canceling
413 an employer sponsored "child" life insurance policy as it pertained to my deceased son. My employer
414 offered several separate and distinct optional life insurance policies, one of which was for a qualifying
415 children. For my own personal reasons (specifically the "RIGHT TO CONTRACT" or "RIGHT TO NOT
416 CONTRACT"), I choose to cancel the "child" life policy. Mr. Slicer and the Defendant's actions materially

417 misrepresented to the court the facts, furthering their FRAUD UPON THE COURT. Their actions
418 materially harmed the Plaintiff.

419 The Attorney Charles Slicer (#0059927) is alleged with particularity to have committed FRAUD
420 UPON THE COURT on May 21st 2014 and Aug 11th 2014 because of his unconscionable scheme(s) to
421 make misrepresentation(s) through the court system. Mr. Slicer did (May 21st 2014) file several false
422 affidavits and other motions, furthering the initial fraud by Defendant. Specifically Mr. Slicer did file a
423 motion for attorney's fees, he did have material knowledge of the valid antenuptial agreement and this
424 particular action would misrepresent to the court a materially conduct FRAUD UPON THE COURT.

425 The Attorney David McNamee (#0068582) is alleged with particularity to have committed
426 FRAUD UPON THE COURT and SPOILATION OF EVIDENCE on May 27th 2014 and Jun 6th 2014 because of
427 his unconscionable scheme(s) to conduct concealment of evidence through the court system. Mr.
428 McNamee did knowingly fail to produce the complete antenuptial agreement, because of his action he
429 conducted and participated in *"spoliation of evidence"* which is direct FRAUD UPON THE COURT and
430 FRAUD UPON THE PLAINTIFF. Specifically when Plaintiff personally contacted to request a duplicate
431 copy of antenuptial agreement, Mr. McNamee did leave a threating voicemail of which I have an audio
432 recording of that characterizes his intent to withhold the antenuptial agreement; this voicemail
433 recording is from May 27th 2014. On a subsequent call (not recorded), in speaking with Mr. McNamee
434 he indicated that if requested by my Attorney Mr. Morrison via email he would produce the document
435 as a *"professional courtesy"*. Mr. Morrison did inform me that he contacted Mr. McNamee via email,
436 Mr. McNamee did not produce the documents. Because of his direct concealment; by clear and
437 convincing evidence great harm was done to Plaintiff. Particular note related to the *"spoliation of*
438 *evidence"*, it has been well decided that treble damages apply. Additional evidence offered of Mr.

439 McNamee's collusion and intent with Mr. Slicer to conduct FRAUD UPON THE COURT, at the Jun 6th
440 2014 hearing on motion for attorneys fees; Mr. McNamee was to be Mr. Slicer's *"expert witness"*.
441 Specifically Rule 8.4 Misconduct items (a), (b), (c), (d), (e), (f) and (h), Rule 4.1 Truthfulness in
442 Statements to Others (a) make a false statement of material fact or law to a third person, (b) fail to
443 disclose a material fact when disclosure is necessary to avoid assisting an ***illegal*** or ***fraudulent*** act by a
444 client.[42] (emphasis added). His personal actions caused great harm and distress to the Plaintiff.
445 The Defendant Keesha A. Barton is alleged with particularity to have committed FRAUD UPON
446 THE COURT, FRAUD UPON THE PLAINTIFF, BREACH OF CONTRACT and SPOILATION OF EVIDENCE on
447 May 27th 2014 and Jun 6th 2014 because of her unconscionable scheme(s) to make
448 misrepresentation(s) through the court system. Irrefutable facts are the Defendant was arrested for a
449 Domestic Violence charge by City of Fairborn #CRB1301210[43], because of her arrest and subsequent
450 criminal protection order (protecting the Plaintiff), the Plaintiff was unable to reenter the marital
451 residence to retrieve his copy of the antenuptial agreement. At the time of executing said contract,
452 there was/is 3 original(s). One original was retained by Attorney David McNamee (#0068582), in whose
453 office the executed contract was completed. The remaining two original(s) were mailed to 2352
454 Barnard Drive Fairborn, OH 45324 within approximately two weeks of executing the contract. Upon
455 their arrival in the mail, the Defendant did open the enclosed documents and together we quickly
456 examined them. The documents appeared to be in order. The Defendant then turned the documents
457 over to me, I subsequently placed them on the desk in the room used as an office. I have direct specific
458 knowledge of having last seen them in the marital residence. If a person negligently or intentionally
459 withholds or destroys relevant information that will be required in an action is liable for spoliation of

[42] Ohio Professional Rules of Conduct, page 187 (June 1, 2014)
[43] State of Ohio v. Keesha A. Barton

460 evidence. The Defendant was under a restraining order. See also ORC 2921.32 Obstructing justice. The
461 Defendant did knowingly and maliciously conduct FRAUD UPON THE COURT and FRAUD UPON THE
462 PLAINTIFF by withholding the contract. Her actions caused great harm directly to the Plaintiff, and
463 were Material BREACH OF CONTRACT and a direct SPOILATION OF EVIDENCE.

464 The Attorney Charles Slicer (#0059927) is alleged with particularity to have committed FRAUD
465 UPON THE COURT and SPOILATION OF EVIDENCE on May 27th 2014 and Jun 6th 2014 because of his
466 unconscionable scheme(s) to conduct concealment of evidence through the court system. Mr. Slicer
467 did knowingly fail to produce and or conceal the complete antenuptial agreement, because of his
468 action he conducted and participated in *"spoliation of evidence"* which is direct FRAUD UPON THE
469 COURT and FRAUD UPON THE PLAINTIFF. Specifically Rule 8.4 Misconduct items (a), (b), (c), (d), (e), (f)
470 and (h), Rule 4.1 Truthfulness in Statements to Others (a) make a false statement of material fact or
471 law to a third person, (b) fail to disclose a material fact when disclosure is necessary to avoid assisting
472 an ***illegal*** or ***fraudulent*** act by a client.[44] (emphasis added)

473 The Judge Timothy Campbell (#0005527) is alleged with particularity to have committed FRAUD
474 UPON THE COURT on May 27th 2014 and Jun 6th 2014 because of his unconscionable scheme(s) to
475 make misrepresentation(s), corruption of a court official and judicial fraud through the court system.
476 Mr. Campbell did not perform his judicial function, when presented clear and convincing evidence of
477 the concealment of antenuptial agreement, ignored the fraudulent acts of the Defendant and Mr.
478 Slicer respectively. Mr. Campbell's finding[45] it was unconscionable is irrelevant and based on ignorance
479 of the law. It is well settled law, for the defense of unconscionability to apply, the contract has to have
480 been unconscionable ***at the time it was made***; later circumstances that make the contract extremely

[44] Ohio Professional Rules of Conduct, page 187 (June 1, 2014)
[45] See 2013-DR-0207 Final Decree and Order

481 one-sided are irrelevant. Mr. Campbell's basis for ignoring the antenuptial agreement was that the
482 financial disclosures statements were not presented[46] and therefore it was unconscionable to enforce
483 such an agreement. Mr. Campbell directly committed FRAUD UPON THE COURT and demonstrated
484 incompetence of the law as applied in Ohio as follows: "From this context, the Ohio Supreme Court
485 explained in *Gross v. Gross* that the requirement of "full disclosure" is satisfied "either by the exhibiting
486 of the attachment to the antenuptial agreement of a listing of the assets of the parties to the
487 agreement, or *alternatively a showing that there had been a full disclosure by other means*"[47]
488 (emphasis added). It was clearly demonstrated via direct testimony of both the Plaintiff and Defendant
489 to Mr. Campbell that a summary of the financial disclosure was included within the body of the original
490 agreement, which to any reasonable person would satisfy the alternative method. It was also
491 acknowledged by the testimony of the Defendant that full disclosure was conducted, which to any
492 reasonable person would demonstrate the alternative mean(s) had been meet. His direct failure to
493 abide by well settled law[48]; is FRAUD UPON THE COURT, causing great harm to Plaintiff.
494 The Judge Timothy Campbell (#0005527) is alleged with particularity to have committed FRAUD
495 UPON THE COURT on Sep 12th 2014 because of his unconscionable scheme(s) to make
496 misrepresentation(s), corruption of a court official and judicial fraud through the court system. Mr.
497 Campbell specifically conducted FRAUD UPON THE COURT by awarding property that was separate

[46] See previous paragraphs relating to "SPOILATION OF EVIDENCE" this document.
[47] *Gross v Gross*, 11 Ohio St.3d at 105, also see *Vanderbilt v. Vanderbilt*, 2013-Ohio-1222
[48] The Ohio Supreme Court has held that such agreements are valid and enforceable if three basic conditions are met: 1) If they have been entered into freely without fraud, duress, coercion of overreaching; 2) If there was a full disclosure, or full knowledge, and understanding, of the nature, value and extent of the prospective spouse's property; and 3) If the terms do not promote or encourage divorce or profiteering by divorce. *Gross v Gross*, 11 Ohio St.3d at 105, also see *Vanderbilt v. Vanderbilt*, 2013-Ohio-1222

498 property[49] prior to the marriage and not in accordance with the antenuptial agreement; this is with
499 beyond a reasonable doubt FAILURE TO FOLLOW STATUTORY PROCEDURE(s)[50].
500 The Judge Timothy Campbell (#0005527) is alleged with particularity to have committed
501 FRAUD UPON THE COURT on Sep 12th 2014 because of his unconscionable scheme(s) to make
502 misrepresentation(s), corruption of a court official and judicial fraud through the court system. Mr.
503 Campbell specifically conducted FRAUD UPON THE COURT by awarding spousal support on the basis of
504 unsupported claim losing a promotion due to Plaintiff contacting her superior officers and a
505 congressional complaint; It is well settled USAF policy to withhold a promotion due to misconduct of a
506 member; specifically the Defendant was arrested[51] for Domestic Violence charges and subsequently
507 reached a plea agreement to Disorderly Conduct. Sufficient cause for the USAF to withhold a
508 promotion. The standard of conduct required of a military member is far above the average citizen.
509 Additionally a military member is subject not only to the local laws of the state and county where they
510 reside, they are also subject to the Uniform Military Code of Justice (UCMJ). The Defendant alone
511 decided her course of actions that led to her arrest and subsequent conviction. The USAF alone
512 decided an appropriate course of action in denying a promotion to a higher grade with additional rights
513 and responsibilities. Mr. Campbell's actions clear and convincingly supersedes the federal authority of
514 the Department of Defense-USAF; because of his actions, Mr. Campbell EXCEEDED HIS JURISDICTION
515 and committed acts of judicial fraud. Mr. Campbell also sets the precedent that if you contact your

[49] Specifically Items 16 & 17 as listed in Plaintiff's Exhibit #12; GE Washer & Dryer. Separate property prior to marriage.
[50] Ohio Revised Code 3105.171 (3)(b) "Marital Property" does not include any separate property. (6)(a) (ii) Any real or personal property or interest in real or personal property that was acquired by one spouse prior to the date of the marriage;. (6)(a)(v) Any real or personal property or interest in real or personal property that is excluded by a valid antenuptial agreement;. (6)(a)(vi) "Compensation to a spouse for the spouse's personal injury……". (6)(b) The commingling of separate property with other property of any type does not destroy the identity of the separate property as separate property, except when the separate property is not traceable.
[51] State of Ohio v. Keesha A. Barton #CRB1301210

516 publicly elected officials to report misconduct, you will be punished. Mr. Campbell demonstrated
517 incompetence in regards to the DOD rights and privileges of a Dependent Spouse, a Reserve Military
518 Component and an Active Military Component. The right to contact the military chain of command is a
519 fundamental right of a military spouse. Mr. Campbell committed FRAUD UPON THE COURT by
520 fraudulent procurement of jurisdiction over matters and actions taken solely within and on Federal
521 Property.

522 The Defendant Keesha A. Barton is alleged with particularity to have committed FRAUD UPON
523 THE COURT on Jun 6th, Jul 18th, and Aug 11th 2014 because of her unconscionable scheme(s) to make
524 misrepresentation(s) through the court system. The Defendant materially misrepresented the loss of
525 her promotion; the USAF never testified to the actual cause. It is well settled USAF policy to withhold a
526 promotion due to misconduct of a member; specifically the Defendant was arrested[52] for Domestic
527 Violence charges and subsequently reached a plea agreement to Disorderly Conduct. Sufficient cause
528 for the USAF to withhold a promotion.

529 The Judge Timothy Campbell (#0005527) is alleged with particularity to have committed FRAUD
530 UPON THE COURT on Sep 12th 2014 because of his unconscionable scheme(s) to make
531 misrepresentation(s), corruption of a court official and judicial fraud through the court system. Mr.
532 Campbell specifically conducted FRAUD UPON THE COURT by awarding attorney fees to Defendant; his
533 basis for award are based on the Defendant having to resort to additional court motions which are
534 based on the FRAUD UPON THE COURT by the Defendant and Mr. Slicer.

535 The Second District Court of Appeals (Judge Fain, Judge Hall, Judge Welbaum) is alleged with
536 particularity to have committed FRAUD UPON THE COURT on Mar 9th 2015 because of their

[52] State of Ohio v. Keesha A. Barton #CRB1301210

537 unconscionable scheme(s) to make misrepresentation(s), through the court system. Their denial of the
538 motion for attorney fees and costs contradicts their order; "Pursuant to R.C. 2323.51(B)(1), a court may
539 award reasonable attorney fees to any party in a civil action adversely affected by frivolous conduct.
540 The statue further provides that "frivolous conduct" includes conduct that satisfies any of the
541 following: (i) It is obviously serves merely to harass or maliciously injure another party to the civil
542 action or appeal or is for another improper purpose, including, but not limited to, causing unnecessary
543 delay of needles increase in the cost of litigation. Their actions demonstrate FRAUD UPON THE COURT
544 due to inequality before the law, the Defendant made similar claim and was awarded fees. And when
545 taken in the context of this full document the frivolous intent, means of harassment, and to maliciously
546 injure Plaintiff.

547 The Second District Court of Appeals (Judge Froelich, Judge Hall, Judge Welbaum) is alleged
548 with particularity to have committed FRAUD UPON THE COURT on Mar 9th 2015 because of their
549 unconscionable scheme(s) to make misrepresentation(s), through the court system. **"The assertion of**
550 **federal rights, when plainly and reasonably made, are not to be defeated under the name of local**
551 **practice."** *Davis v. Wechler*, 263 U.S. 22, 24; *Stomberb v. California*, 283 U.S. 359; NAACP v. Alabama,
552 375 U.S. 449. These 3 individuals granted a motion to strike Plaintiff's Appellant's Brief due to
553 exceeding 35 pages; their arbitrary limit of 35 pages was not sufficient to document the extreme
554 amount of errors, many of them federal rights[53]. An objection to the motion to strike was also filed, the
555 individuals (Judge Froelich, Judge Hall, Judge Welbaum) then did grant motion to strike Appellant's
556 Brief. Their granting of the motion to strike was an excess of jurisdiction[54] deliberately disregarding

[53] See attached filed stamped copy Appellant's Brief from 2014-CA-0046.
[54] *Cannon v. Commission on Judicial Qualifications, (1975) 14 Cal 3d 678, 694. Acts in excess of judicial authority constitutes misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process.

557 requirements of fairness and due process; additionally this action automatically defeats the assertion
558 of federal rights[55]. I filed the proper application for leave prior to filing brief, I responded to the timely
559 filing of a response to motion with objection; my specifically response was as follows: *"The local*
560 *procedure do not specify that you must request the expected number of pages to be submitted. The*
561 *Magistrates decision granted 35 pages, which is not sufficient to cover the unconstitutional issues, the*
562 *misconduct by the court, the misconduct by officers of the court, and the incompetence of the trial*
563 *court. The trial court didn't follow the rules or the law. Plaintiff-Appellant has followed the procedures,*
564 *and is not re-formatting the Brief."* Their actions did cause harm to the Plaintiff.

565 The Attorney Charles Slicer (#0059927) is alleged with particularity to have committed FRAUD
566 UPON THE COURT on Mar 2nd 2014 because of his unconscionable scheme(s) to make
567 misrepresentation(s) through the court system. Mr. Slicer knowingly filed a FALSE AVIDAVIT
568 (specifically; motion to dismiss); Mr. Slicer's fraud lies upon the certificate of service (concealment)
569 stating he did cause service to Appellant. His misconduct misrepresented to the Court, the Appellant
570 was served a copy; thereby transferring of tolling to Appellant in which to respond. I never received a
571 copy of this Motion to Dismiss; grounds by which I have knowledge is only from the "docket" and the
572 granting of motion by Court. This particular motion will require discovery.

573 The Second District Court of Appeals (Judge Froelich, Judge Hall, Judge Welbaum) is alleged to
574 have committed FRAUD UPON THE COURT on Mar 9th 2015 because of their unconscionable scheme(s)
575 to make misrepresentation(s), through the court system. Their reliance upon the motion to dismiss

[55] "The assertion of federal rights, when plainly and reasonably made, ***are not to be defeated under the name of local practice.***" (emphasis added) Davis v. Wechler, 263 U.S. 22, 24; Stomberb v. California, 283 U.S. 359; NAACP v. Alabama, 375 U.S. 449.

576 (itself an act of FRAUD UPON THE COURT) and failure to give due consideration to Appellant's filings[56];
577 additionally failing to give due consideration to the fact of ***forty-****nine (49)* errors. This defies any
578 reasonable logic, what defines how much or how little information to present on any given error or the
579 gravity of the error; if insufficient information is presented then appeal is lost before it is even
580 complete. This fact lies at the root of this particular FRAUD UPON THE COURT instance, the arbitrary
581 determination of how many pages you may file; as it is directed at the judicial machinery itself.
582 The Second District Court of Appeals (Judge Donovan, Judge Welbaum) is alleged to have
583 committed FRAUD UPON THE COURT on Jan 16th 2015[57] and Jan 21st 2015[58] because of their
584 unconscionable scheme(s) to make misrepresentation(s), through the court system, corruption of a
585 court official and judicial fraud through the court system. Their failure due consideration a DEMAND &
586 DETERMINATION FOR VOID JUDGEMENT represents FRAUD UPON THE COURT; since the trial court
587 had lost jurisdiction[59] due to appeal being file any additional motions filed with the trial court would
588 have been disregarded. As evidenced by Defendant's motion for withholding Nov 10th 2014 and
589 subsequent order filed same day: ENTRY OVERRULING DEFENDANT'S MOTION FOR WITHHOLDING
590 "THIS COURT NO LONGER HAS JURISDICTION OVER THIS CASE DUE TO PLAINTIFF'S TIMELY APPEAL
591 FILED IN THE SECOND DISTRICT COURT OF APPEALS. 14-11-0884 TO 0886". There was verifiable
592 evidence in the Plaintiff's motion to warrant proper consideration for the claim of FRAUD UPON THE
593 COURT; their obstruction of justice directly contradicts well settled law on this matter[60]. Their

[56] Example: Appellant's Brief: Assignment of Error #49 ***"Appellant's judgment against him was fraud upon the court."***
[57] 2014-CA-0046
[58] 2014-CA-0021
[59] Multiple instances of lost jurisdiction; this is separate argument unto itself.
[60] *Orner v. Shalala*, 30 F.3d 1307 (10th Cir. 1994) held that **"when the rule providing for relief from a void judgment is applicable, relief is not discretionary, but is mandatory."**

594 subversive acts to protect fellow officers of the court directly impact the integrity of the court; and
595 caused great harm to the Plaintiff.

596 The Second District Court of Appeals (Judge Froelich, Judge Hall, Judge Welbaum) is alleged to
597 have committed FRAUD UPON THE COURT on Jan 9th 2015 because of their unconscionable scheme(s)
598 to make misrepresentation(s) through the court system. While the Appellate Court did render a
599 favorable decision to Plaintiff by reversing the trial court; the above named individuals did fail to fully
600 recognize a significant issue; namely the material contract breach when the Defendant failed to abide
601 by terms of the contract[61]. Her actions created a voidable contract. This particular instance of FRAUD
602 UPON THE COURT lies in these individuals failure to recognize the contract, rights of the aggrieved
603 party, and damages claimed of the aggrieved party; the Plaintiff has sustained significant damages due
604 to their actions. Specifically the reimbursement for attorney fees and costs as direct examples of
605 damages (not all-inclusive).

606 The Second District Court of Appeals (Judge Froelich, Judge Donovan, Judge Fain, Judge Hall,
607 Judge Welbaum) is alleged to have committed FRAUD UPON THE COURT on Apr 1st 2015 because of
608 their unconscionable scheme(s) to make misrepresentation(s) through the court system, corruption of
609 a court official and judicial fraud through the court system. The officers of this court were given direct
610 notice (multiple times) that FRAUD UPON THE COURT had occurred as well as Felonies as conducted by
611 other officers of the court; specifically *"This courts lack of action or action to support their felonies*
612 *will/is making you a party to their conduct."* Their failure to act in any manner other than further
613 concealment is FRAUD UPON THE COURT; because of their actions they have caused great harm to
614 Plaintiff.

[61] See first on Keesha A. Barton's FRAUD UPON the court paragraph of this for specific details of contract.

615 The Supreme Court of Ohio (Chief Justice O'Conner, Justice Pfeifer, Justice O'Donnell, Justice
616 Lanzinger, Justice Kennedy, Justice French, Justice O'Neill) is alleged to have committed FRAUD UPON
617 THE COURT on Jan 9th 2015 because of their unconscionable scheme(s) to make misrepresentation(s),
618 corruption of a court official and judicial fraud through the court system. Their failure to give proper
619 consideration to an original action filed by Plaintiff (pro se); a Writ of Mandamus and Prohibition with
620 primary basis of claim being no adequate remedy at law due to FRAUD UPON THE COURT. Their failure
621 to give due consideration demonstrates an unconscionable abuse of discretion[62] when no discretion
622 was available. *"An order that exceeds the jurisdiction of the court, is void, or voidable, and can be*
623 *attacked in any proceeding in any court where the validity of the judgment comes into issue. (See Rose*
624 *v. Himely (1808) 4 Cranch 241, 2 L ed 608; Pennoyer v. Neff (1877) 95 US 714, 24 L ed 565; Thompson v.*
625 *Whitman (1873) 18 Wall 457, 21 l ED 897; Windsor v. McVeigh (1876) 93 US 274, 23 L ed 914;*
626 *McDonald v. Mabee (1917) 243 US 90, 37 Sct 343, 61 L ed 608. U.S. v. Holtzman, 762 F.2d 720 (9th Cir.*
627 *1985)"* ; the filing of the alternative writ(s) was an attack on the validity of the judgment of the trial
628 court due to FRAUD UPON THE COURT. As such it was an independent action (collateral attack) on the
629 trial court's fraudulent order. The officers of this court dismissal of the action without proper
630 consideration is a direct concealment of the fraudulent actions of the trial court; their action(s) are
631 clear and convincing evidence to have conducted FRAUD UPON THE COURT. Their actions have caused
632 great harm to Plaintiff.
633 The Supreme Court of Ohio (Chief Justice O'Conner, Justice Pfeifer, Justice O'Donnell, Justice
634 Lanzinger, Justice Kennedy, Justice French, Justice O'Neill) is alleged to have committed FRAUD UPON

[62] *Orner v. Shalala*, 30 F.3d 1307 (10th Cir. 1994) held that **"when the rule providing for relief from a void judgment is applicable, relief is not discretionary, but is mandatory."**

635 THE COURT on Jul 8th 2015 because of their unconscionable scheme(s) to make misrepresentation(s),
636 corruption of a court official and judicial fraud through the court system. Their actions in failing to
637 accept the appeal in Case #2015-0590 is direct judicial fraud to the Ohio Constitution Article IV, §2, (2)
638 The Supreme Court shall have appellate jurisdiction as follows: (a) In appeals from the courts of
639 appeals as a ***matter of right*** (emphasis added) in the following: (iii) Cases involving questions arising
640 under the constitution of the United States or of this state. See specifically Plaintiff's Notice of Appeal
641 and Memorandum in Support; the notice of appeal correctly claims an APPEAL OF RIGHT, not a
642 jurisdictional (discretionary). This courts published rules[63] for filing directly conceal the right(s)
643 established by the Constitution of Ohio; direct irrefutable evidence beyond a reasonable doubt the
644 officer(s) of the court to conduct and administer FRAUD UPON THE COURT. These officers concealment
645 of judicial fraud, attorney misconduct, and various other actions of FRAUD (detailed in other
646 paragraphs) is FRAUD UPON THE COURT. The fundamental weak thinking on the part of the Supreme
647 Court Officer(s) contributed to their instance of FRAUD UPON THE COURT. These officers of the court
648 to failure follow statutory procedure is FRAUD UPON THE COURT. Their actions directly have caused
649 significant harm to Plaintiff.

650 The Supreme Court of Ohio Chief Justice O'Conner is alleged to have committed FRAUD UPON
651 THE COURT on Aug 14th and Sep 1st 2015 because of her unconscionable scheme(s) to make
652 misrepresentation(s), corruption of a court official and judicial fraud through the court system. When
653 presented evidence beyond a reasonable doubt Mr. Hurley had definitively failed to follow the law, she

[63] S.Ct.Prac.R. 5.01. Appeals of Right. (A) Definition As used in these rules, an "appeal of right" is one of the following: (1) An appeal from a decision of a court of appeals in a case in which the death penalty has been affirmed for an offense committed prior to January 1, 1995; (2) An appeal from the decision of a court of appeals under App.R. 26(B) in a capital case; (3) An appeal from a decision of a court of appeals in a case that originated in the court of appeals and that invokes the appellate jurisdiction of the Supreme Court; (4) An appeal from a decision of a court of common pleas in a case in which the death penalty has been imposed for an offense committed on or after January 1, 1995; (5) An appeal from a decision of a court of common pleas in a case contesting an election under R.C. 3515.15.

654 ignored the Affidavit of Disqualification[64] and associated Motion(s) for Reconsideration. Because of her
655 actions she has knowingly supported the TREASON as conducted by Mr. Hurley; thereby giving rise to
656 her of criminal actions of "MISPRISION of TREASON[65]". Her concealment of misconduct is FRAUD UPON
657 THE COURT and has done great harm to Plaintiff.

658 The Officer(s) of the Court collectively (and as specifically detailed as in previous paragraphs)
659 are alleged to have committed FRAUD UPON THE COURT from Dec 4th 2013 thru present date because
660 of their unconscionable scheme(s) to make misrepresentation(s), corruption of a court official and
661 judicial fraud through the court system. Because of their actions collectively and individually have
662 caused the Plaintiff's United States Constitutional rights (as follows specifically) to be irreparably
663 violated and caused loss of jurisdiction:

664 ➢ Because they violated the Plaintiff's First Amendment[66] rights for prohibition and
665 abridgment of free speech, and by repeated acts of omission the ability to petition the
666 government for a redress of grievances; their actions have caused great harm to Plaintiff.

667 ➢ Because they violated the Plaintiff's Second Amendment[67] right to bear arms, they have
668 caused unlawful infringement of my right to bear arms and for self-defense. Because they
669 specifically failed to follow statutory procedures did cause the infringement on my rights;

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[64] See lines 994 thru 1020 of this document Law Citations regarding this matter

[65] **18 U.S. Code § 2382 - Misprision of treason:** Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.

[66] Amendment I; Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

[67] Amendment II; A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

670 additionally as a military member in arming group "A"[68] it a primary responsibility to bear
671 government firearms. Their actions have caused great harm to Plaintiff.

672 ➢ Because they violated the Plaintiff's Fourth Amendment[69] rights; specifically the right of the
673 people to be secure in their persons, house, paper, and effects; through the use of
674 fraudulent orders infringement of the Plaintiff's right to be secure in his person and house
675 have occurred. They did cause harm by failing to give "due process of law" (substantive due
676 process and procedural due process) conducted a seizure of property in direct contrast to a
677 VALID CONTRACT between the parties. Their actions have caused great harm to Plaintiff.

678 ➢ Because they violated the Plaintiff's Seventh Amendment[70] right; specifically the right to a
679 jury trial. Their actions have caused great harm to the Plaintiff, and if this right had been
680 respected it would have materially prevented FRAUD UPON THE COURT as perpetrated by
681 the officer(s) of the court.

682 ➢ Because they violated the Plaintiff's Eighth Amendment[71] rights; specifically the right to not
683 incur cruel and unusual punishment. Their issuance of the judgment as conducted through
684 the FRAUD UPON THE COURT; this was clearly a cruel and unusual punishment for
685 defending his civil rights, It is cruel and unusual punishment to have the victim of a crime
686 pay the criminal for their defense of crime, It is cruel and unusual punishment to have the

[68] Air Force Instruction 31-117 & Air Force Instruction 36-2226 5.5.1

[69] Amendment IV; The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

[70] Amendment VII; In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

[71] Amendment VIII; Excessive bail shall not be required, nor excessive fines imposed, **nor cruel and unusual punishments inflicted**. {emphasis added}

687 family member of a wrongful death pay the Defendant who holds a key responsibility to
688 that wrongful death.

689 ➢ Because they violated the Plaintiff's Thirteenth Amendment[72] rights; specifically the
690 judgment rendered induces slavery and involuntary servitude to the Defendant by and
691 through the FRAUD UPON THE COURT, that was specifically protected by a contract of
692 which the officer(s) of the court were not a party of said contract.

693 ➢ Because they violated the Plaintiff's Fourteenth Amendment[73] rights; specifically the right
694 to due process and the failure of the court to provide equal protection under the law(s);
695 through the use of unfair and deceptive practice(s); through the discrimination of Plaintiff
696 on the basis of gender[74]; through discrimination and extortion on the payment to prepare
697 transcripts for appeal. The officer(s) of the court did not provide any resemblance of
698 fundamental fairness or substantial justice[75]. Their actions did cause great harm to Plaintiff.

699 The Officer(s) of the Court collectively (and as specifically detailed as in previous paragraphs)
700 are alleged to have committed FRAUD UPON THE COURT from Dec 4th 2013 thru present date because
701 of their unconscionable scheme(s) to make misrepresentation(s), corruption of a court official and
702 judicial fraud through the court system. Because of their actions collectively and individually have
703 caused the Plaintiff's Ohio Constitutional rights (as follows specifically) to be irreparably violated:

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[72] Amendment XIII; Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

[73] Amendment XIV; Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. 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.

[74] As an example see current GCDRC Bench Warrant list; over 80% are men, 5% are unknown, 15% are women. (unknown due to unisex name)

[75] "Aside from all else, 'due process' means fundamental fairness and substantial justice. Vaughn v. State, 3 Tenn.Crim.App. 54, 456 S.W.2d 879, 883." Black's Law Dictionary, 6th Edition, page 500.

704 Because they violated the Plaintiff's inalienable rights, as secured by the Ohio Constitution
705 Article 1, §1 they did cause great harm to Plaintiff.
706 Because they violated the Plaintiff's right to equal protection and benefit, as secured by the
707 Ohio Constitution Article 1, §2 they did cause great harm to Plaintiff.
708 Because they violated the Plaintiff's right bear arms for his defense and security, as secured by
709 the Ohio Constitution Article 1, §4 they did cause great harm to Plaintiff.
710 Because they violated the Plaintiff's right to Jury Trial, as secured by the Ohio Constitution
711 Article 1, §5 they did cause great harm to Plaintiff. I did not waive any right to a Jury Trial ever.
712 Because are violating the Plaintiff's right to involuntary servitude, as secured by the Ohio
713 Constitution Article 1, §6 they continue to cause great harm to Plaintiff.
714 Because they violated the Plaintiff's rights as a Victim of Crime specifically not affording
715 fairness, dignity or respect; as secured by the Ohio Constitution Article 1, §10a they did cause great
716 harm to Plaintiff.
717 Because are violating the Plaintiff's right to free speech, as secured by the Ohio Constitution
718 Article 1, §11 they are cause great harm to Plaintiff.
719 Because they violated the Plaintiff's right to consent of Quartering Troops, as secured by the
720 Ohio Constitution Article 1, §13 they did cause great harm to Plaintiff. The Defendant was (at the time
721 of the final order) an Active Duty USAF member, Mr. Campbell's order "…Plaintiff's failure to
722 contribute to the marital expenses of the parties during the one year marriage…"; {first this is a blatant
723 lie, I did contribute to marital expenses during our one year marriage} I did not however contribute any
724 further from the day of her arrest. This is another example of FRAUD UPON THE COURT; his actions in
725 the face of irrefutable evidence. His order is directly causing me to Quarter a Troop without my

consent, or causing the same effect; because of his action(s) great harm has been caused on the Plaintiff.

There has only been one (1) Greene County government office that has acted honor, dignity, respect, and due diligence that is (or should be) expected by the citizens. The Clerk of Courts, Ms. Teri Mazer and her deputy for the Title Division were extremely professional and performed their duties as described above.

SUMMARY OF CLAIMS

The most succinct way to summarize all of this is; you are a collective bunch of fucking lying cheating bastards. I am not some rube you can just roll over and make pay to play. For those of you that say "this is not in context", you are lying to yourself. The context is; I was cheated once before in Highland County, I learned my lesson and ***absolutely*** will not stand for it. Therefore, I had an antenuptial agreement BEFORE marriage just in case. Keesha and I had several discussions prior to completion of the antenuptial being signed. She did have a valid argument from her perspective; that it made her feel that I didn't trust her. I explicitly stated to her ***"it's not you that I don't trust, it's the court(s) that can't be trusted"***. So other circumstances lead us down this path, and divorce is filed. I really saw no reason to have any problems, I have a valid CONTRACT with her the court(s) can't do anything. So during the first hearing on Nov 17th 2013, I really didn't see any problem making an agreement to move this quickly down the road. As soon as I saw that she had reneged on the contract from Nov 17th 2013, and the court started breaking the law I saw the writing on the wall. It was a *"kangaroo"* court all over again. We all got a lesson in how far the corruption goes; all the way to the top. The evidence is there, it's not a *"I'm missing"* the context thing. So let's put it all together.

747 The first instance of FRAUD UPON THE COURT started on Nov 17, 2013 with the agreement
748 made. She clearly never had any intention to abide by the agreement; her intentions really becomes
749 immaterially since her actions of filing 2013-DV-0193 bring irrefutable evidence of breach of contract.
750 She materially intended to systematically conduct FRAUD UPON THE COURT. I said something similar
751 for same effect at the hearing on April 14th, 2014; what she said (for effect) was I know how to play the
752 court. She said that right after recording the video that was played on April 14th 2014. Another key
753 indicator of what was coming; the 3 attorney's (two of which were mine) had a meeting with Mr.
754 Campbell just before going into hearing. My attorney's advocated to him that I had been lied too, Mr.
755 Campbell's statement to them was "I don't care". So how do we prove the "hearsay", simple I had two
756 attorney's that witnessed the comment as well it was recorded on the security video surveillance
757 system of the Lobby; where they came out and relayed that information to me. I am going to digress
758 for just a moment- I don't see any difference between being in the courthouse, in the lobby, or in the
759 hearing room, on or off the record. All of your actions and statements should be reflective of that, no
760 matter where you are. Put another way, will you do the right thing when no one is looking. I knew
761 what Mr. Campbell's decision was going to be BEFORE we even went into the hearing room. So I
762 immediately appealed the order, 14 errors of assignment. I actually listed several of the items of
763 FRAUD UPON THE COURT, but didn't state them as exactly that. It was already inflammatory enough,
764 but it accurately documented the acts up to that point. Keep note that Mr. Campbell saw what and
765 how I appealed his order. Remember the appeal is pending during next set of hearings.
766 Now we move onto the next series of hearings for 2013-DR-0207. I know one of the first things
767 someone will respond with is, the fraud of the Toyhauler was between the parties. And some will say
768 well no real harm was done, since you were awarded it in the end. Again this was NOT the context, yes

769 it was fraud between the parties as caused by Defendant, however it was blatantly fabricated to
770 materially directed (give Mr. Campbell an excuse) to portray me as the "bad" guy. Did it work, yes look
771 at his judgment. Then go dissect it against the law. Let's dig a little deeper into the FRAUD UPON THE
772 COURT on this; Mr. Slicer has zero deniability or even plausible deniability of the origin of the "new"
773 title. Why? If the mutual restraining orders were in effect from Aug 16th 2013, and this is a newly
774 issued titled she clearly broke the orders of the court. He has NO excuse for concealing her fraud, no
775 he takes it one step further. He now files additional false contempt allegations against me for not
776 following the mutual restraining orders. It was a calculated step to misguide the court. He clearly knew
777 about the mutual restraining orders. Go look at his filing on this motion, he actually tries to say I was
778 the one who was committing fraud. Does he owe me any responsibility? I would agree not generally,
779 but what I am owed is not to have FRAUD conducted upon me by an Officer of the Court.
780 The antenuptial agreement. There was no way for me to produce the actual schedules (that
781 were part of the originals). When the Defendant withholds (2 of the 3 originals are in her house). The
782 third original is in the care of Mr. McNamee. But they were all working together to conceal it. Another
783 example of their conspiracy; Mr. McNamee was to be Mr. Slicer's "expert witness" on attorney fees.
784 Mr. Campbell's resulting order was directly against what the Ohio Supreme Court has already ruled on,
785 therefore he had no discretion[76]. Mr. Campbell made several other critical errors; not following
786 statutory procedure, conducting war on the constitution. See all forty-nine (49) errors in attached[77].

[76] ***Gross v. Gross*, 83-564, 11 Ohio St. 3d 99 (1984)** The trial court directly erred and demonstrated incompetence of the law as applied in Ohio as follows: "From this context, the Ohio Supreme Court explained in *Gross* that the requirement of "full disclosure" is satisfied "either by the exhibiting of the attachment to the antenuptial agreement of a listing of the assets of the parties to the agreement, or *alternatively a showing that there had been a full disclosure by other means*" (emphasis added).

[77] See attached filed stamped copy Appellant's Brief from 2014-CA-0046.

787 So lets compare the 5 elements[78] of Fraud to one of specific allegation above. The example will
788 be the Antenuptial Agreement. First element: duty to disclose or concealment of fact; CHECK- self-
789 explanatory. Second Element: material to the transaction at hand; CHECK-not only material "critical".
790 Third element: made falsely, with knowledge of its falsity; CHECK- Defendant, Mr. Slicer & Mr.
791 McNamee all knew there was originals and ACTIVELY concealed it. Fourth Element: intent of
792 misleading another to relying upon it; CHECK - In this specific instance the court was lead to believe
793 they (schedules) didn't exist (omission). Fifth Element: reliance upon the representation or
794 concealment; CHECK – Mr. Campbell states as such in his final order. To complete the circle of FRAUD:
795 was there a resulting injury proximately caused by the reliance; CHECK. So the next logical step is how
796 does this or other instance(s) of FRAUD becomes FRAUD UPON THE COURT; it is *directed* at the judicial
797 machinery itself to materially skew the judgment for one party who would have had judgement against
798 them if the FRAUD and FRAUD UPON THE COURT had not occurred.
799 Some of the specific paragraphs of FRAUD UPON THE COURT may not meet every single item by
800 themselves. However, when coupled with the preceding FRAUD UPON THE COURT actions they will. I
801 know someone will respond with "this is outrageous, the SCO *can't* be involved" or to that effect. In
802 fact I have seen responses already like that. It's further concealment. They have disregarded their
803 duties, failed to set standards, failed to maintain the standards, and generally failure of leadership. I
804 am so grateful they are not in charge of nuclear weapons, or any kind of military unit for that matter.
805 You (officers of the court-collectively) would not even be trusted to guard the grass grow. Your utter
806 reliance on the "finality of judgment" is your downfall. The cover up is always worse than the crime.
807 Same is true here.

[78] *Wilfong v. Petrone, 2013-Ohio-2434 – Ohio: Court of Appeals, 9th D 2013*

808 Let's talk about the US Constitution. It is well settled law that what it said then, is what it says
809 NOW. Not some creative interpretation, that you pull out of your ass and force it to fit what you want.
810 I ask you is *"Have you ever lived under the Crown[79]?"* I suspect you haven't, sure you might have
811 visited the UK but have you lived there? I have lived under the *"Crown"* , I do not mean to infer it was a
812 bad thing. The lessons and experiences learned there have provided a positive understanding of why
813 our Founding Fathers wrote the document(s) they did, because these experiences directly relate to
814 understanding what our Constitution means; it really does mean EXACTLY what it says. They had lived
815 first hand under the fist of the "Crown", and suffered greatly for not paying to play. Their collective
816 negative experiences lead to the creation and ratifying of our Declaration of Independence, and our
817 Constitution. From the Declaration of Independence *"We hold these truths to be self-evident, that all*
818 *men are created equal, that they are endowed by their Creator with certain unalienable Rights, that*
819 *among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments*
820 *are instituted among Men, deriving their just powers from the consent of the governed, --That*
821 *whenever any Form of Government becomes destructive of these ends, it is the Right of the People to*
822 *alter or to abolish it, and to institute new Government, laying its foundation on such principles and*
823 *organizing its powers in such form, as to them shall seem most likely to effect their Safety and*
824 *Happiness."* The CONSENT of the GOVERNED, -- That …. becomes destructive of these ends, it is the
825 RIGHT of the People to alter or to abolish it. Notice how that said "RIGHT" not a privilege, not an
826 entitlement to granted at a whim or because of some particular status. Why are you getting a history
827 lesson? That should be self-evident. Let's take all of this a step further to current events; I know you
828 don't want to be "pressured" by politically influence. That's not my goal on this particular matter.

[79] "Crown" being a reference to the Laws of United Kingdom- English law specifically

829 Currently we have a national crisis of building proportion due to the actions of several different police
830 officers; while widely regarded as a racial issue vs. law enforcement: I have come to an entirely
831 different conclusion. I suspect it is only a matter of time before others advance this supposition. That is
832 the law enforcement is not the root cause of the problems; sure individually they have some processes
833 that are problematic. Law Enforcement is just a cog in the judicial machinery; the judicial machinery is
834 broke. The people have already started to turn on your corruption (my cases are not some isolated
835 aberration). Your action(s) are inviting anarchy[80]. I offer the supposition that Mr. Hurley and Mr.
836 Campbell had intent to teach me a lesson in who has the power. However, I will not EVER submit to
837 corruption, deceit, lies, or fraud. Mr. Hurley has a pattern of abuse against the people[81]. This is not
838 about not liking a judgment; this about following the law. All their actions have done is reinforce the
839 corruption of the courts through continued practice of fraud.

840 So let's complete the circle of FRAUD. If the Defendant had followed the written contract
841 (antenuptial agreement) and followed the terms of the contract from the Nov 17th 2013 hearing. This
842 would have been over in December of 2013. If FRAUD UPON THE COURT had not been systematically
843 conducted for the benefit of the defendant, we would not be where we are today. If Mr. Campbell
844 actually had honor and integrity, and performed his due diligence (actually looking up the case law
845 regarding antenuptial(s)- it took me all of about 15 minutes to find ***Gross v. Gross***); we would not be
846 where we are today. For those of you that may read this and say "why didn't you negotiate a

---

[80] ***Olmstead* v. *United States*, 277 U.S. 438 (1928)** Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself***; it invites anarchy***. {emphasis added} To declare that, in the administration of the criminal law, the end justifies the means -- to declare that the Government may commit crimes in order to secure the conviction of a private criminal -- would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face.

[81] I am currently in process of securing witness to his abuse from other cases in GCDRC.

847 settlement"; I say to you I had already negotiated PRIOR to the marriage. My right to contract is
848 secure, any negotiation was pointless; other than to ENFORCE MY CONTRACT.
849 **I ABSOULTELY WILL NEVER OBEY ANY ORDER OF THIS COURT.** This is not an admission of guilt
850 of any sort; they are UNLAWFUL ORDERS. So I know, your next step will be to put me in prison for
851 contempt (political prisoner). That's common practice in North Korea for dissent against the
852 government. When I still won't comply, and you say "you hold the keys"; will you execute me? History
853 repeats itself; there are entire societies that self-destructed because of corruption of the government.
854 The **Uniform Code of Military Justice** (UCMJ) 809[890].ART.90 (20), makes it clear that military
855 personnel need to obey the "lawful command of his superior officer," 891.ART.91 (2), the "lawful order
856 of a warrant officer", 892.ART.92 (1) the "lawful general order", 892.ART.92 (2) "lawful order". In each
857 case, military personnel have an obligation and a duty to only obey Lawful orders and indeed have an
858 ***obligation to disobey Unlawful orders***, including orders by the president that do not comply with the
859 UCMJ. ***The moral and legal obligation is to the U.S. Constitution and not to those who would issue***
860 ***unlawful orders, especially if those orders are in direct violation of the Constitution and the***
861 ***UCMJ.*** {emphasis added} This is my authority to disobey any orders of this corrupt court, I have no
862 doubt of the unlawfulness of the orders.
863
864 Support for the **MOTION DETERIMATION FOR VOID JUDGMENT**; cause Fraud Upon the Court
865 and/or any other valid relief pursuant the Fed.RoCP 60(b)(1)(2)(3)(4)(5)(6).
866 Support for **MOTION OF BREACH OF CONTRACT-DAMAGES**; rather self-explanatory-directly
867 related to antenuptial agreement (contract), material breach thereof; and material breach of
868 contract to "take no further action".

869 Support for **MOTION FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (IIED)**; for the
870 FRAUD UPON THE COURT as conducted by Defendant and officers of the court.
871 Support for **MOTION FOR ACTION OF WRONGFUL DEATH;** Keesha A. Barton actively concealed
872 her actions of neglect and wrongful acts.
873 Support for **MOTION FOR TORT OF SPOILATION DAMAGES[82];** supporting Ohio case law in
874 footnote.
875 Support for **MOTION FOR CONTINUANCE (DATE TBD);** due to the FRAUD UPON THE COURT as
876 conducted by the officers of the court a continuance is requested until such time another venue
877 and course of action is determined.
878 Support for **MOTION FOR RECUSAL;** due to the FRAUD UPON THE COURT as conducted by the
879 officers of the court specifically Mr. Hurley the disqualification is requested.
880 Support for **DEMAND FOR JURY TRIAL**; U.S. Constitution Article VI, Clause 2 (aka "Supremacy
881 Clause"), Article VII "right of trial by jury", State of Ohio Constitution Article I, §5 TRIAL BY JURY.
882 Support for **MOTION TO DISMISS WITH PREJUDICE DEFENDANT'S MOTIONS**; The Defendant's
883 Motions are based upon continuation of FRAUD UPON THE COURT.

884
LAW CITATIONS & REFERENCES

885 ***Chapter 29, First Statute of Westminster*** (1275) {also known as *"The Fraud Act"*}
886 It is provided also, that if any serjeant, pleader, or other, do any manner of deceit or collusion in
887 the king's court, or consent unto it, in deceit of the court, or to beguile the court, or the party, and

[82] The Supreme Court of Ohio held that a cause of action exists in tort for intentional spoliation against parties to the primary action as well as ***third parties***. (emphasis added) *Smith v. Howard Johnson Co., Inc.*, 67 Ohio St.3d 28, 29, 615 N.E2d 1037 (Ohio 1993). The elements required are: (1) pending or probable litigation involving the plaintiff; (2) knowledge on the part of the defendant that litigation exists or is probable; (3) willful destruction of evidence by defendant designed to disrupt plaintiff's case; (4) disruption of plaintiff's case; and (5) damages proximately caused by defendant's acts.

888 thereof be attainted, he shall be imprisoned for a year and a day, and from thenceforth shall not be
889 heard to plead in that court for any man; and if he be no pleader, he shall be imprisoned in like manner
890 by the space of a year and a Day at least; and if the trespass require greater punishment, it shall be at
891 the king's pleasure.

892 ***Wilfong v. Petrone, 2013-Ohio-2434 – Ohio: Court of Appeals, 9th D 2013***

893 {¶11} "The elements of fraud are: (a) a representation or, where there is a duty to disclose,
894 concealment of a fact, (b) which is material to the transaction at hand, (c) made falsely, with
895 knowledge of its falsity, or with such utter disregard and recklessness as to whether it is true or false
896 that knowledge may be inferred, (d) with the intent of misleading another into relying upon it, (e)
897 justifiable reliance upon the representation or concealment, and (f) a resulting injury proximately
898 caused by the reliance." *Burr v. Stark County Bd. of Comm'rs,* 23 Ohio St.3d 69 (1986), paragraph two of
899 the syllabus.

900 **Conclusory vs non conclusory statements:**

901 As a Pro Per filer, this pleading standard gives the appearance judicial partiality of an
902 unobtainable goal because as an individual who is directly making the statement of claim has direct
903 knowledge and/or the circumstances surrounding the issues. The limited guidance by the court(s) for
904 Pro Per/Pro Se filers on this particular matter is disturbing at best, because the standard required to
905 execute a successful pleading is unknown and arbitrary. "[A] pro se petitioner's pleadings should be
906 liberally construed to do substantial justice." United States v. Garth, 188 F.3d 99, 108 (3d Cir. 1999).
907 Just because you state "this court did liberally construed the pleadings", does not mean that you
908 actually did if the court is applying a double standard (liberally construed vs conclusory). Because of
909 this double standard, the court(s) fail(s) to do substantial justice. There is multiple contradictory source

910 definitions of the word conclusory. It is not inherent that a man of free will with specific personal
911 knowledge of facts to draw his own conclusion[83] on the surrounding circumstances. Conclusory; An
912 inference that has no proof but is stated none the less[84] or consisting of or relating to a conclusion or
913 assertion for which no supporting evidence is offered[85] . Typically a complaint or affidavit contains an
914 "allegation" or "assertion". Let's examine one paragraph of a previous filling by Plaintiff[86]: *{see*
915 *italicized text within brackets for examination of paragraph}*. If a Pro Se or Pro Per filing never makes it
916 to discovery, how can the evidence to support their statements be proved or disproved? I would
917 concede that some obvious conclusory statements would warrant dismissal; i.e.; "When the alien's
918 abducted me, I missed my court date."

919 **<u>DUE PROCESS VIOLATIONS</u>** *{general nature of the allegation as applicable to following*
920 *paragraph}*

921 At the initial filing of 2013-DR-0207 "automatic" mutual restraining orders were issued by
922 "GCDRC". *{irrefutable evidence is the court docket entry and actual order itself, easily documented*
923 *FACT, the record of the court }* This is a direct violation of due process, since there was never a
924 hearing to address restriction of civil liberties. *{my analysis says this is a non-conclusory statement:*
925 *the statement of claim (of harm) is violation of due process, the supporting fact of evidence is "never"*
926 *granted a hearing, again proved by the record of the court- very specific allegation, very specific*
927 *supporting fact}* This also falls into fraud upon the court, since almost a year had past since the initial
928 filing when Mr. Slicer filed Motion to Show Cause. *{my analysis says this is a non-conclusory*
929 *statement: the statement of claim (of harm) is FRAUD UPON THE COURT, the time frame (when),*

[83] {conclusion; n, a reasoned deduction or inference}
[84] Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.
[85] Source: dictionary.findlaw.com; definition of conclusory-adj
[86] Barton, ex rel, vs Barton, et al- Supreme Court of Ohio 2014-2241

930 *specific supporting evidence (filed a motion), continued support of previous sentence}* The fraud lies in
931 the presumption of guilt without the benefit of proper due process. *{my analysis says this is a non-*
932 *conclusory statement: the statement of claim (of harm) is presumption of guilt, "without" due*
933 *process; cause and effect}* Simply providing service is not sufficient, and a contempt "hearing" after
934 the fact is not sufficient when Relator never had an opportunity to present objections to the order at
935 a proper hearing specifically addressing those issues. *{my analysis says this is a non-conclusory*
936 *statement: the statement of claim (of harm) service by itself is at a minimum only half of*
937 *requirements (this is also supporting previous sentences in same paragraph), supporting factual*
938 *evidence is no specific hearing, again easily supported factual evidence- my statement says I was*
939 *denied a specific right and/or process, demonstrate to me when/where this happened-irrefutable*
940 *evidence, since I have personal knowledge that it didn't happen}* This is just one of many due process
941 violations. The respondent's blatant disregard for the civil rights is unbelievable. *{my analysis for the*
942 *overall paragraph is definable specific assertions, supported by facts, and would meet the definition*
943 *of probable cause[87]; the probable cause from the standpoint as a objective third party}*
944 The overall conclusion is the officer(s) of the court fail to do substantial justice because of
945 misrepresentations of what constitutes a dual standard(s) that directly contradict each other
946 (liberally construe the pleadings vs perceived conclusory {or claim thereof by the officers}
947 statements). The summary of this may be best characterized by an expression of pure irrefutable
948 evidence of the universe of mathematics- DIVISION BY ZERO {a/0}; where "liberally construe the
949 pleadings" equal "P_L", and a perceived conclusory statement S_C equals ZERO. The result of P_L/ S_c will

[87] Probable Cause; n, Facts and evidences that lead many to believe that the accused actually committed the crime. A probable cause is not a fail proof evidence as it only provides enough grounds to deem the convicted guilty of the crime, and thus to arrest and put the accused to trial. Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.

always result in ZERO, because division by zero is undefined[88]. My argument suggests fatally "weak thinking" by the officer(s) of the court, because by applying the mathematics to the actions will always result in ZERO. Hence substantial justice infers a positive integer, and substantial injustice infers a negative integer neither of which are zero.

The RIGHT TO CONTRACT

U.S. Constitution Article I, §10 No ***State*** shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, ***or Law impairing the Obligation of Contracts,*** or grant any Title of Nobility. {emphasis added}

For sake of reducing the document size; I reserved the right to supplement this section.

VOID JUDGMENTS

COURT HAS NO DISCRETION TO REFUSE TO VACATE A VOID JUDGMENT. *Export v. Reef*, 54 F.3d 1466, 1469 (9th Cir. 1995) For the purposes of review, it has been said that clear violations of law on reaching the result, such as acting without evidence when evidence is required, or ***making a decision contrary to all the evidence,*** (emphasis added) are just as much jurisdictional error as is the failure to take proper steps to acquire jurisdiction at the beginning of the proceeding. Borgnis v. Falk Co., 133 N.W. 209

Abuse of discretion "connotes more than an error of law or judgment; it implies that the court's attitude is unreasonable, arbitrary or unconscionable." Blakemore v. Blakemore (1983), 5 Ohio St.3d 217, 219, 5 OBR 481, 482, 450 N.E.2d 1140, 1142.

[88] Source: en.wikipedia.org/wiki/Division_by_zero

970 *Orner v. Shalala*, 30 F.3d 1307 (10th Cir. 1994) held that **"when the rule providing for relief**
971 **from a void judgment is applicable, relief is not discretionary, but is mandatory."**
972 *Jaffe v. Van Brunt*, 158 F.R.D. 278 (S.D.N.Y. 1994) held **"Judgments entered where courts lack**
973 **either subject matter jurisdiction, or that were otherwise entered in violation of due process of law,**
974 **must be set aside."**
975 "without authority, its judgments and orders are regarded as nullities. They are not voidable,
976 but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them.
977 They constitute no justification; and all persons concerned in executing such judgments or sentences,
978 are considered, in law, as trespassers." *Elliot v. Piersol*, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828)
979 **VOID JUDGMENT**. One which has no legal force or effect, invalidity of which may be asserted by
980 any person whose rights are affected at any time and at any place directly or collaterally. One which
981 from its inception is and forever continues to be absolutely null, without legal efficacy, ineffectual to
982 bind parties or support a right, of no legal force and effect whatever, and incapable of confirmation,
983 ratification, or enforcement in any manner or to any degree. Judgment is a "void judgment" if court
984 that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a
985 manner inconsistent with due process. See also Voidable judgment [Black's Law Dictionary]
986 A void judgment or order is one that is entered by a court lacking jurisdiction over the parties or
987 the ***subject matter***, or lacking the inherent power to enter the particular order or judgment, ***or where***
988 ***the order was procured by fraud***. In re Adoption of E.L., 733 N.E.2d 846, (Ill. App. 1 Dist. 2000).
989 Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject
990 matter, or of the parties, or ***acted in a manner inconsistent with due process***, Fed Rules Civ. Proc., Rule
991 60(b)(4), 28 U.S.C.A.; U.S.C.A. Const Amend. 5. *Klugh v. U.S.*, 620 F.Supp. 892 (D.S.C. 1985).

992 Ohio courts have inherent authority to vacate a void judgment. Patton v. Diemer (1988), 35 Ohio St.3d
993 68.

994 In 1994, the U.S. Supreme Court held that "Disqualification is required if an objective observer
995 would entertain reasonable questions about the judge's impartiality. If a judge's attitude or state of
996 mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must
997 be disqualified."*Liteky v. U.S.*, 114 S.Ct. 1147, 1162 (1994).

998 Further, the judge has a legal duty to disqualify himself even if there is no motion asking for his
999 disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this language
1000 [455(a)] imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed." *United*
1001 *States v. Balistrieri*, 779 F.2d 1191 (7th Cir. 1985) (Section 455(a)

1002 Judges do not have discretion not to disqualify themselves. By law, they are bound to follow the
1003 law. Should a judge not disqualify himself as required by law, then the judge has given another
1004 example of his "appearance of partiality" which, possibly, further disqualifies the judge. Should another
1005 judge not accept the disqualification of the judge, then the second judge has evidenced an
1006 "appearance of partiality" and has possibly disqualified himself/herself. None of the orders issued by
1007 any judge who has been disqualified by law would appear to be valid. It would appear that they are
1008 void as a matter of law, and are of no legal force or effect.

1009 Should a judge not disqualify himself, then the judge is in violation of the Due Process Clause of
1010 the U.S. Constitution. United States v. Sciuto, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal
1011 free from bias or prejudice is based, not on section 144, but on the Due Process Clause.").

1012 ***Should a judge issue any order after he has been disqualified by law***, and if the party has
1013 been denied of any of his / her property, then the judge may have been engaged in the ***Federal Crime***

1014 ***of "interference with interstate commerce".*** (emphasis added) The judge has acted in the judge's
1015 personal capacity and not in the judge's judicial capacity. It has been said that this judge, acting in this
1016 manner, has no more lawful authority than someone's next-door neighbor (provided that he is not a
1017 judge). However some judges may not follow the law.

1018 "A departure by a court from those recognized and established requirements of law, however
1019 close apparent adherence to mere form in method of procedure, which has the effect of **depriving one**
1020 **of a constitutional right**, is an **excess of jurisdiction**." Wuest v. Wuest, 127 P2d 934, 937.

1021 **RELIEF SOUGHT**

1022 Plaintiff's **DEMAND for VOID JUDGMENT** of Case 2013-DR-0207 be granted, because ***FRAUD***
1023 ***UPON THE COURT*** has been substantiated and any other relief(s) applicable.

1024 Plaintiff to be awarded **DAMAGES for BREACH OF CONTRACT**, because it has been
1025 substantiated and any other relief(s) applicable.

1026 Plaintiff to be awarded **DAMAGES for INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
1027 **(IIED)** , because ***FRAUD UPON THE COURT*** has been substantiated and any other relief(s) applicable.

1028 Plaintiff's be awarded **DAMAGES for WRONGFUL DEATH** be granted, because it has been
1029 substantiated and any other relief(s) applicable.

1030 Plaintiff to be awarded **DAMAGES for SPOILATION OF EVIDENCE**, because ***FRAUD UPON THE***
1031 ***COURT*** has been substantiated and any other relief(s) applicable.

1032 Plaintiff's **MOTION FOR SANCTIONS** be granted, because ***FRAUD UPON THE COURT*** has been
1033 substantiated and any other relief(s) applicable.

1034 Plaintiff's support for cause for **MOTION FOR CONTINUANCE** be granted, because ***FRAUD***
1035 ***UPON THE COURT*** has been substantiated and any other relief(s) applicable.

Plaintiff's support for **MOTION FOR CHANGE OF VENUE** be granted, because ***FRAUD UPON THE COURT*** has been substantiated and any other relief(s) applicable.

Plaintiff **DEMAND for JURY TRIAL** be granted, because ***FRAUD UPON THE COURT*** has materially corrupted the Officer(s) of the Court.

Plaintiff's support for **MOTION(S) FOR DISMISSAL WITH PREJUDICE** be granted, because **FRAUD UPON THE COURT** has been substantiated and any other relief(s) applicable.

PREDETERMINED DECESION

Prediction of what you are going to do (KANGAROO COURT).

Mr. Hurley will not recuse himself. He will completely ignore anything in this or any other potential motion(s) filed by Plaintiff. He will grant all motions filed by a represented party (Defendant). Not because the evidence or law supports his decisions. This is a very easy supposition; since that is exactly what this court has done to date. Exactly the opposite of what the LAW says they are to do.

I will be issuing Subpoena's to Mr. Campbell and Mr. Hurley. Plaintiff reserves the right to call any other witness he deems necessary to defend.

Submitted,

DOUGLAS C. BARTON,
PLAINTIFF, PRO PER
437 WARWICK PLACE
FAIRBORN, OH 45324
513-508-7515

1061 **AFFIDVAIT**

1062

1063 I, **DOUGLAS C. BARTON** , swear or affirm that I have read this document and, to the best of my

1064 knowledge and belief, the facts and information stated in this document are true, accurate and

1065 complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

1066

1067

1068 DOUGLAS C. BARTON

1069

1070 Sworn before me and signed in my presence this day 10 of Sep , 2015 .

1071

1072

1073 Notary Public

1074 My Commission Expires:

1075 24 June 2019.

Sun Keating
Notary Public, State of Ohio
My Commission Expires 06-24-2019

1076
1077
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1079
1080
1081
1082

1083 **CERTIFICATE OF SERVICE**

1084

1085 I hereby certify that a copy of this Demand for Determination was served by Certified mail upon

1086 Charles Slicer (Attorney for Keesha A. Barton) 111 W. First Street, Ste 518 Dayton, OH 45402 this 10th

1087 day of Sep, 2015 through the Clerk of Courts.

1088

1089

1090 DOUGLAS C. BARTON,

1091 PLAINTIFF, PRO PER

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion for Relief of Judgment, Supporting Document #1 & #2 was served by first class mail via the US Postal Service on the 30th day of Sep, 2015, upon the following:

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