Supreme Court of Ohio Clerk of Court - Filed May 20, 2016 - Case No. 2016-0723

IN THE SUPREME COURT OF OHIO

THE STATE OF OHIO, EX REL. THE ALLEN COUNTY CHILDREN SERVICES BOARD,	*	**CASE NO.: 2016-0723**
RELATOR,	*	**ORIGINAL ACTION IN PROHIBITION**
vs.	*	
THE COMMON PLEAS COURT OF MERCER COUNTY, OHIO PROBATE DIVISION, ET AL.,	*	
RESPONDENTS.	*	

MOTION TO SEAL ANSWER AND MOTION TO DISMISS

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Now comes the Common Pleas Court of Mercer County Ohio, Probate Division, the Honorable Mary Pat Zitter, Probate/Juvenile Judge and the Honorable James Rapp, Judge by Assignment, and hereby moves this Court to seal the Answer and the Motion to Dismiss filed by Respondents in this matter. Revised Code Section 3107.17 requires court consent prior to revealing any information in a record of an adoption that is maintained by the court, the department of job and family services, an agency, or attorney. Absent certain exceptions, none of which apply in this matter, the adoption records from a Probate case cannot be revealed. R.C. §3107.17(A). The adoption records are referenced throughout both pleadings filed by Respondent today.

For all the foregoing reasons, Respondent requests that the Respondent's Answer and Motion to Dismiss be sealed.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent to Terri L. Kohlrieser, Assistant Prosecutor , attorney for the Allen County Children Services Board, on this 27 day of May. 2016.

Matthew K. Fox, Prosecuting Attorney