

IN THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
MEDINA COUNTY, OHIO

COMMON PLEAS COURT
2024 MAY 14 PM 3:52

CLAUDE KASSIM

Plaintiff-Obligor,

-vs-

MELANIE DAVIS

Defendant-Obligee

CASE NO. 00PA0065

FILED
DAVID B. WADSWORTH
MEDINA COUNTY
CLERK OF COURTS

JUDGE JULIE A. SCHAFER

JUDGMENT ENTRY

On June 6, 2023, Plaintiff Claude Kassim (hereinafter "Kassim") filed "Motions to Set Aside the Judgment on 05/19/2023 and Vacate the Order on Arrerages (sic) and Other Relief and For Entry of Default Final Judgment Against the Defendant and for Order in the Award of Relief for Plaintiff." The "Judgment on 05/19/2023" to which Kassim refers contained a paragraph at the bottom of the page notifying the parties that it was a "Final Appealable Order." Pursuant to App.R. 4(A)(1), Kassim had until June 18, 2023 to file an Appeal. Kassim did not file an appeal of the May 19, 2023 Judgment Entry.

On April 11, 2024, Kassim filed a 63 page "Affidavit in Support of Amendment to the Motion Filed on 06/06/2023 for the Court to Vacate the Order on 05/19/2023."

On April 19, 2024, Kassim filed a 16 page "Motion to Stay Enforcement of Arrerages (sic) Pending Final Judgment."

Plaintiff Kassim's "Motion to Set Aside the Judgment on 05/19/2023 and Vacate the Order on Arrerages (sic) and Other Relief and For Entry of Default Final Judgment Against the Defendant and for Order in the Award of Relief for Plaintiff" filed June 6, 2023 are DENIED for failure to state a claim upon which relief can be granted pursuant to Ohio Civil Rule 12(b)(6).

ANALYSIS

Plaintiff has now filed five requests for hearing on claims that were disposed of by Judgment Entry filed August 16, 2022, and for the court to vacate Judgment Entries dismissing his motions that uphold the initial decision in the case. The proper method for seeking review of a

Judgment Entry – a final appealable order – is to file an appeal to a higher court, in this case, the 9th District Court of Appeals, not to continuously request the trial court to vacate its prior orders and rehear the case. The time for Plaintiff's appeal on this issue has long since expired rendering the Judgment Entry FINAL – and NO longer appealable.

The Court has now denied Plaintiff's requests to vacate Judgment Entries and rehear the issue many, many times. The "Motion to Stay Enforcement of Arrerages (sic) Pending Final Judgment" is an oxymoron, as Final Judgment was issued August 16, 2022, and subsequently Plaintiff has been denied 60(B) relief four times.

Kassim continuously files motions that at this point, merely harass Defendant Davis and waste court resources. The parties' child is now well over the age of majority but Kassim's obligation to contribute to pay for that child's needs during his minority do not terminate and the child support arrearages endure. Kassim now files 60(B) motions on the Judgment Entries addressing each 60(B) motion attempting to turn the hearings into a labyrinth of confusion to avoid his obligation to his child. These continual, meritless and frivolous motions now embody the actions of a vexatious litigator pursuant to O.R.C. 2323.52(b) as Kassim's conduct is not warranted under existing law and cannot be supported by a good faith argument for an extension, modification, or reversal of existing law, and R.C. 2323.52(c) as Kassim's conduct is imposed solely for delaying and/or avoiding the payment of the child support arrearages owed to Defendant, Melanie Davis.

ORDER

1. CLAUDE KASSIM's "Motion to Stay Enforcement of Arrerages (sic) Pending Final Judgment" filed April 19, 2024 is hereby DENIED and collection of child support arrearages shall continue as previously ordered.

2. Plaintiff, CLAUDE KASSIM's "Motion to Set Aside the Judgment on May 19, 2023" and all other outstanding pending motions, if any, are hereby DENIED.

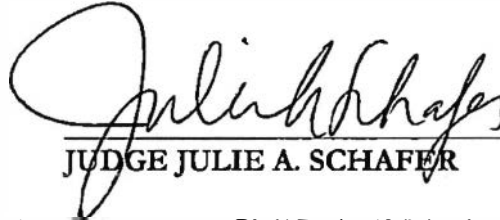
3. Plaintiff, CLAUDE KASSIM is hereby declared a "Vexatious litigator" and is prohibited from filing future motions in the Medina County Court of Common Pleas, Domestic Relations Division ("MCCCP-DRD") without prior express permission of the Court.

4. Plaintiff, CLAUDE KASSIM is hereby prohibited from contacting MCCCP-DRD personnel about his personal or child-related issues.

5. The Medina County Clerk of Courts is instructed NOT to accept any filings from Plaintiff, CLAUDE KASSIM, except a request for the necessary permission to file, without said permission having been granted.

6. The Medina County Clerk of Courts is directed to send a certified copy of this Judgment Entry to the Ohio Supreme Court for publication in accordance with R.C. 2323.52(H).

IT IS SO ORDERED.



JUDGE JULIE A. SCHAFER

NOTICE: This is a final appealable order. Pursuant to Civil Rule 58(B), the Clerk is directed to serve upon the parties a notice of the filing of this Judgment Entry and of the date of entry upon the Journal, and to further note upon the appearance docket to whom service is made, the method of service and the date of service of the notice. In accordance with App.R. 4(A), the Clerk is further directed to serve a copy of this order upon the parties, and to further note upon the appearance docket to whom service of this Order is made, the method of service and the date of service of the Order.