

2015 MAR 31 AM 8:49
SUMMIT COUNTY
CLERK OF COURTS

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

ORIGINAL

Timothy Townes
930 Carlisle Court
Kent, Ohio 44240

Plaintiff/Father

-vs-

Stephanie Townes
1132 Frederick Boulevard
Akron, Ohio 44320

Defendant/Mother

) CASE NO. 2012-02-0315
)
)
) JUDGE CAROL J. DEZSO
) MAGISTRATE STEPHAN COLLINS
)
) JUDGMENT ENTRY
) **Modification of Parenting Requirement**
) **Contempt**
) **Limit on Parties' Future Court Actions**
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On March 25, 2015, Magistrate Stephan Collins made a Magistrate's Decision which is attached and incorporated.

Upon review of the Magistrate's Decision, the Court has determined that there is no error or law or other defect evident on the face of the Magistrate's Decision. Pursuant to Civil Rule 53(D)(4)(b), the Magistrate's Decision is adopted and the following judgment is entered:

1. Father is hereby excused from Provision 8 of the Judgment Entry for the parties' Decree of Divorce issued September 19, 2013. Otherwise ALL other parenting provisions set forth in said Decree remain in full force and effect unless the parties agree otherwise *in writing*.
2. Father's last active child support obligation is hereby reinstated effective **SEPTEMBER 10, 2014**. The child support that should have been paid between that date and the recommencement of the wage withholding order for Father shall accrue as arrears in Father's support account. The CSEA shall adjust its records to reflect this provision.
3. Mother's Motion to Show cause is denied.
4. All other outstanding motions not directly addressed herein are also denied.

5. The parties are hereby declared "Vexatious Litigators" and are prohibited from filing future motions in this Court without prior express permission of the Court. The Summit County Clerk of Courts is instructed not to accept any filings from either party, except a request for the necessary permission, without said permission having been granted. The parties are both hereby prohibited from contacting Court personnel or the GAL about their personal or child-related issues.

6. Dr. John Matthew Fabian is instructed to refund any monies paid to him for the purpose of conducting a parenting evaluation to the party who paid him.

7. Costs to be divided equally by the parties after application of filing fees.

A PERSON MAY APPEAL THIS ORDER BY FILING OBJECTIONS. OBJECTIONS SHALL BE FILED WITHIN FOURTEEN (14) DAYS AND SHALL STATE THE OBJECTIONS WITH PARTICULARITY. OBJECTIONS STAY THIS ORDER UNLESS THE COURT GRANTS AN INTERIM ORDER. CIV R. 53(D)(4)(e)(i), LOCAL RULE 27.04.

A PARTY SHALL NOT ASSIGN AS ERROR ON APPEAL THE COURT'S ADOPTION OF ANY FINDING OF FACT OR CONCLUSION OF LAW, WHETHER OR NOT SPECIFICALLY DESIGNATED AS A FINDING OF FACT OR CONCLUSION OF LAW UNDER CIV. R. 53(D)(3)(b)(iv), UNLESS THE PARTY TIMELY AND SPECIFICALLY OBJECTS TO THAT FINDING OR CONCLUSION AS REQUIRED BY CIV. R. (D)(3)(b).

PLEASE REFER TO THE FULL TEXT OF CIVIL RULE 53 AND LOCAL RULE 27 WHEN PREPARING AND FILING OBJECTIONS.

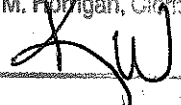
IT IS SO ORDERED.



JUDGE CAROL J. DEZSO

cc: Kimberly Valenti, Attorney for Plaintiff (on contempt issue only)
Chandra Muster, Attorney for Defendant
Chris Derry, Guardian *Ad Litem*
Julie Roberts, Family Court Services
CSEA

I certify this to be a true copy of the original
Daniel M. Horgan, Clerk of Courts.



Deputy

TO THE CLERK:

PURSUANT TO CIVIL RULE 58(B), THE CLERK IS DIRECTED TO SERVE UPON ALL PARTIES NOT IN DEFAULT FOR FAILURE TO APPEAR NOTICE OF THE FILING OF THIS JUDGMENT ENRY AND OF THE DATE OF ENTRY UPON THE JOURNAL.

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

JANEL M. HERRIGAN
2015 MAR 31 AM 8:49

Timothy Townes
930 Carlisle Court
Kent, Ohio 44240

Plaintiff/Father

-vs-

Stephanie Townes
1132 Frederick Boulevard
Akron, Ohio 44320

Defendant/Mother

) CASE NO. 2012-02403
)
)
)
)
) JUDGE CAROL J. DEZSO
) MAGISTRATE STEPHAN COLLINS
)
) **MAGISTRATE'S DECISION**
) **Modification of Parenting Requirement**
) **Contempt**
) **Limit on Parties' Future Court Actions**
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This matter came before Magistrate Stephan Collins, to whom it was referred by the Honorable Carol J. Dezso, on DATE, for hearing on Plaintiff's parenting motions and Mother's motion to show cause. Timothy Townes was present represented by Attorney Kimberly Valenti on the contempt issue only; Stephanie Townes was present represented by Attorney Chandra Muster. Also present was Guardian *ad Litem* Chris Derry, and Family Court Services Evaluator Julie Roberts. Based upon information produced at the hearing and an extensive review of all of the past filings and Court entries the magistrate makes the following findings:

MAGISTRATE'S FINDINGS

1. On May 20, 2014 the magistrate issued a case management order requiring the parties to participate in a custody evaluation. As of September 10, 2014 neither party had paid a significant portion of the evaluation fee. Therefore on September 10, 2014 the magistrate suspended Father's child support obligation and instructed Father to pay the fee himself using the funds saved from child support. As of the date of the present hearing Father had paid no more than \$200, even though it had been determined that his wage withholding had ceased in after October, 2014. The magistrate finds that Father has failed to comply with the Court's orders, that there is no way to make a realistic determination regarding these extremely litigious and uncooperative parties, and therefore there is no reason to

continue the litigation itself. Should the parties wish to revisit the issue in the future they are both advised to have the funds ready for a custody evaluation.

2. The above being stated, the magistrate finds that Mother is no more mentally stable than Father. During the litigation she quit a good-paying job with excellent benefits with no other employment prospects in hand. She also exhibited other questionable behavior. As she did not pay for her share of the custody evaluation fees either (which would have included a psychological evaluation of both parents), the magistrate sees no reason to continue the requirement that Father obtain a psychological evaluation as set forth in the parties' decree of divorce.

3. In addition, if Mother is unwilling to follow the Court's orders the magistrate will not find Father to be in contempt of court for failing to do so himself. The parties should have extremely clean hands before they consider filing a contempt action against the other. Mother does not in this instance. Therefore her motion will be dismissed as well.

4. Finally, the magistrate notes that these two parties have eight (8) different cases involving each other. Within each of the cases, and especially the present one, numerous motions have been filed, necessitating the expenditure of a great deal of the Court's time and attention. The purpose by each party for this litigation has primarily been to vex the other party and to continue their marital arguments post-marriage. None of it was truly necessary, and the result has, primarily, been to cause their children to experience incredible stress and unhappiness. In short, these parties embody the definition of "vexatious litigators." They must be stopped.

MAGISTRATE'S DECISION

1. Father is hereby excused from Provision 8 of the Judgment Entry for the parties' Decree of Divorce issued September 19, 2013. Otherwise ALL other parenting provisions set forth in said Decree remain in full force and effect unless the parties agree otherwise *in writing*.

2. Father's last active child support obligation is hereby reinstated effective **SEPTEMBER 10, 2014**. The child support that should have been paid between that date and the recommencement of

the wage withholding order for Father shall accrue as arrears in Father's support account. The CSEA shall adjust its records to reflect this provision.

3. Mother's Motion to Show cause is denied.

4. All other outstanding motions not directly addressed herein are also denied.

5. The parties are hereby declared "Vexatious Litigators" and are prohibited from filing future motions in this Court without prior express permission of the Court. The Summit County Clerk of Courts is instructed not to accept any filings from either party, except a request for the necessary permission, without said permission having been granted. The parties are both hereby prohibited from contacting Court personnel or the GAL about their personal or child-related issues.

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PLEASE REFER TO THE FULL TEXT OF CIVIL RULE 53 AND LOCAL RULE 27 WHEN PREPARING AND FILING OBJECTIONS.


MAGISTRATE STEPHAN COLLINS

CIV. R. 58 NOTICE
COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
COUNTY OF SUMMIT
STATE OF OHIO

CASE NUMBER: DR-2011-07-2124

THE STATE OF OHIO
SUMMIT COUNTY, SS.

RAYMOND PLAZEK
1777 SUNVIEW DR
TWINSBURGOH 44087

VS

HOLLY PLAZEK
2924 MEYERS RD
SHELBY, OH 44875

TO:

DENISE MARIE COOK
8210 MACEDONIA COMMONS BLVD
#68-190
Macedonia, OH 44056

YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING HAS BEEN FILED WITH THE SUMMIT COUNTY
CLERK OF COURTS OFFICE:

AGREED JUDGMENT ENTRY

Given under my hand and the seal of said Court, this May 27, 2015

DANIEL M. HORRIGAN, SUMMIT COUNTY CLERK OF THE COURT OF COMMON PLEAS, DOMESTIC
RELATIONS DIVISION