

SUPREME COURT OF THE STATE OF OHIO

State ex rel.
STEVEN E. GREER, MD

7029 Maidstone Drive
Port Saint Lucie, Florida 34986
Steve@GreerJournal.com
(212) 945-7252

pro se Relator,

-against-

DELAWARE COUNTY COURT OF
COMMON PLEAS, PROBATE DIVISION

Rutherford B. Hayes Building
145 North Union Street
3rd Floor
Delaware, Ohio 43015
(740) 833-2680

Respondent,

Case No. 2023-0770

Original Action in Mandamus
for records request

**MOTION for RECONSIDERATION
and *EN BANC* CONSIDERATION
of RELATOR'S WRIT of MANDAMUS**

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Steven E. Greer, MD, the *pro se* (“Relator”), for his Verified Petition against Respondent Delaware County, Ohio Court of Common Pleas, Probate Division (“Delaware Court”), hereby motions for a reconsideration and *en banc* consideration of that original petition.

Introduction

1. This Motion for Reconsideration is filed by right, per **Ohio R. Prac. S. Ct. 18.02**, because it involves a motion to dismiss, is filed within the allowed time of the September 27, 2023 order granting the motion to dismiss, and is based on new facts and arguments.
2. **Ohio App. R. 26 also allows for an *en banc* review by the full panel of Justices.**
3. Relator filed an amended Writ of Mandamus on July 12, 2023 seeking records from the Delaware County, Ohio Probate Court. After the initial records was request was granted, and emails suggested wrongdoing by the elected judge, that recused judge interfered with subsequent records request by barring his clerk staff from providing the records.
4. The clerk staff handling the records request work directly for the recused judge and, therefore, should not have been handling the records request or any matter related to the underlying probate case.
5. This Ohio Supreme Court granted the motion to dismiss on September 27, 2023 without a reasoned decision. Only Chief Justice Kennedy adjudicated.

New Facts and Arguments

New Denial of Records Request

6. Relator made new records request of the Delaware County Probate Court on September 25, 2023, after this writ of mandamus was filed.

“From: SG <steve@greerjournal.com>
Sent: Monday, September 25, 2023 1:31 PM
To: Stenman, Katie <kstenman@co.delaware.oh.us>
Subject: Records request for Judge Michael

Steven Greer
Address: steve@greerjournal.com

Katie Stenman, Esq.
Court Administrator
Delaware County Probate/Juvenile Court
145 N. Union Street
Delaware, Ohio 43015
(740) 833-2663

Dear Ms. Stenman:

Under the **Ohio Open Records Law, §149.43 et seq.**, and any other rule or law, I am requesting an opportunity to inspect or obtain copies of public records that contain:

- All notes and records created by Judge Stephen Michael on the Tom Greer ward matter that relate to ex parte or any form of communication with lawyer Nick McCoy or any Delaware County Probate Court staff.
- All notes and records created by Judge Stephen Michael on the Tom Greer ward matter that relate to the handling of my official complaint filed on 9-1-2023
- All notes and records created by Judge Stephen Michael on the Tom Greer ward matter that relate to any efforts to properly investigate the allegation in my complaint using properly trained medical crews, as opposed to Delaware County Probate Court staff.”

7. On September 29th, two-days after the order granting the motion to dismiss, probate court employee Katie Stenman responded by claiming that no records existed.

“From: Stenman, Katie <kstenman@co.delaware.oh.us>
Sent: Thursday, September 28, 2023 1:55 PM
To: SG <steve@greerjournal.com>
Subject: RE: Records request for Judge Michael

Dr. Greer:

This email responds to your April 28, 2023 (received September 25, 2023) public records request to the Delaware County Probate Court (“Court”). You requested the following:

- “All notes and records created by Judge Stephen Michael on the Tom Greer ward matter that relate to ex parte or any form of communication with lawyer Nick McCoy or any Delaware County Probate Court staff.”
- “All notes and records created by Judge Stephen Michael on the Tom Greer ward matter that relate to the handling of my official complaint filed on 9-1-2023”
- “All notes and records created by Judge Stephen Michael on the Tom Greer ward matter that relate to any efforts to properly investigate the allegation in my complaint using properly trained medical crews, as opposed to Delaware County Probate Court staff.”

There are no records kept or maintained by the Court responsive to your request. As a result, your request is denied. R.C. § 149.43(A)(1). This should complete your request to the Court. Should you have any questions or concerns, please feel free to contact me.

Katie

Katie Stenman, Esq.
Court Administrator
Delaware County Probate/Juvenile Court
145 N. Union Street
Delaware, Ohio 43015
(740) 833-2663”

8. Of note, this Ohio Supreme Court is not in possession of the records sought related to visiting Judge Michael. A records request was made of this Court’s clerk as well.

9. No effort was made by Ms. Stenman of the Delaware County court to explain the legal basis for the denial. **No affidavit was provided that stated the records do not exist.**

10. It is unlikely that Judge Michael created none of the records that were requested.
11. Appearances of judicial behavior are important. They guide judicial cannon.
12. Ms. Stenman's response seems to have been made with a sense of immunity after the recent win on the motion to dismiss. This Court's order seems to have emboldened the Delaware County court to proceed with hubris with their illegal practice of ignoring Ohio law.
13. The Delaware County court is casting a bad light on this Supreme Court.

The mandatory annual probate audit hearing never occurred.

14. In the underlying probate matter of ward Thomas Greer, an important hearing over the annual audit of the guardian was postponed and rescheduled for September 22. However, that date came and went with no hearing. The entire audit seems to have disappeared from the docket.
15. On the hearing date, the opposing lawyer and judge seem to have agreed by *ex parte* communication that the date would be rescheduled. The lawyer had a prepared motion to continue and the visiting judge did not appear in court.
16. What should have been an annual audit of the guardian is now just a pending hearing on a legal fee. Even that has no date.
17. Clearly, this Delaware County court is still violating basic procedure and rules of court.

Visiting Judge Michael ignored a Complaint in probate court

18. Ohio law allows for a family member in a guardianship matter to file an official Complaint, which is treated much like a motion. Relator filed a Complaint on September 1, 2023 (EX. 1).
19. The Complaint detailed with proof that serious crimes were taking place against his parents. His father's life was, and still is, in jeopardy. Thomas Greer is being deprived of vital surgical care of a wound and is not receiving physical therapy. No medical doctor treating Mr. Greer can be found in the court records.

20. However, visiting judge Michael violated rules of court by not adjudicating the complaint himself. Instead, he delegated the matter to a court investigator, Teresa Tackett, who directly works for the recused judge. The letter claimed that rules set by the visiting judge would not allow the Complaint to be heard. (EX. 2). This was a false and conclusory statement.

21. **Moreover, the intervention by Ms. Tackett was an extreme violation of numerous court rules.** Ms. Tackett is the subject of Relator's investigation. In the original writ of mandamus, it details how the first and only response of records implicated Ms. Tackett in collusion with the opposing counsel to rig probate hearings.

22. Als, of note, Ms. Tackett works for the recused judge and should not be handling any aspect of this probate case. Probate judges are also their own clerks. Therefore, when a judge recuses, the Ohio Supreme Court clerk should handle the docket.

23. Clearly, this is all highly suspect behavior by the Delaware County court.

Relator's Civil Rights have been violated

24. Relator has a right to petition the State of Ohio and its courts per the First Amendment of the United States Constitution and statute (42 U.S.C. § 1983). Without the public records sought, he cannot do so.

25. Relator also has a right to freedom of the press, per the First Amendment, which would require access to the public records sought in this writ of mandamus.

26. By the Delaware County Probate Court wantonly refusing to comply with records request, concealing records that likely would implicate them in illegal activity, they are violating Relator's First Amendment rights. Without the records he seeks, he cannot petition against the Delaware County court or report in the press on wrongdoing.

Request for Reasoned Decision

27. Relator plans to appeal this matter to the Supreme Court of the United States, if necessary.
28. Therefore, he requests a full and reasoned decision should this motion for reconsideration result in a repeated granting of the motion to dismiss.

New Arguments

Elder Abuse Against Relator's Parents

29. Relator's Complaint (EX. 1) details life-threatening abuse of Thomas Greer and incompetence by guardian Martha Greer.
30. The Delaware County Probate Court case must be transferred to Franklin County Probate Court. Both the guardian and ward live full-time in the Avalon nursing home in Franklin County now.
31. Thomas Greer needs urgent proper care of his bed sore and evaluation of the ailment causing him to now be unresponsive (see EX. 1 for an explanation of Thomas Greer's dramatic decline in health since he entered the nursing home).
32. The Complaint also details how Relator's mother is being coerced and abused.
33. However, the visiting judge is egregiously mishandling the case. Judge Michael has ignored numerous rules of procedure.

Relator's First Amendment Rights are being violated

34. As explained above, the refusal by the Delaware County Probate Court to follow state records laws has violated Relator's First Amendment rights.
35. The actions of Respondent are clearly designed to prevent Relator Greer from petitioning the court and expose wrongdoing. It is a cover up that casts a shadow upon the judicial process if left to go uninvestigated.

Relief Requested

Relator respectfully requests of this Supreme Court to reconsider the September 27th order granting the motion to dismiss and grant the writ of mandamus instead, with the relief of:

- a) **This Motion for Reconsideration and records requests will be adjudicated on an emergency timeline given that Thomas Greer's life is in jeopardy.**
- b) Respondent shall produce all documents requested.
- c) If the Respondent still claims that the documents do not exist, then this Court will conduct a hearing and question Respondents under oath about the existence of the documents.
- d) Relator shall be granted the opportunity to conduct discovery.
- e) Delaware County Probate Court shall transfer the Thomas Greer probate matter to Franklin County Probate Court.
- f) If the case is not transferred to Franklin County, then the visiting judge in Delaware County Court must properly hear the Relator's Complaint and comply with all court rules.
- g) The Respondent must release the Records within five-days of the date of the Judgment,
- h) Awards attorneys' fees and costs incurred in this litigation as allowed under Ohio Rev. Code § 149.43,
- i) Grants such other and further relief, such as findings on violations of judicial conduct, as this Court may deem just and proper.

Dated: New York, New York
October 9, 2023

By: /s/ Steven E. Greer

Steven E. Greer
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Certificate of Service

In accordance with Ohio R. Prac. S. Ct. 3.11, the undersigned states that a copy of the foregoing *Amedned Petition for a Writ of Mandamus* was served by email transmission, on October 9, 2023 upon the attorney for respondent, Christopher Betts, at cbetts@co.delaware.oh.us.

/s/: Steven Greer

Steven Greer, pro se Relator
7029 Maidstone Drive
Port Saint Lucie, Florida 34986
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Exhibit 1

**DELAWARE COUNTY, OHIO
COURT OF COMMON PLEAS
PROBATE DIVISION**

September 1, 2023

In The Matter of the Guardianship of
Thomas Greer

Case No. 22040573PGU

Complaint Against Guardian Martha Greer

Steven E. Greer, MD (“Dr. Greer”) is the “Interested Party” in the guardianship matter of Thomas Greer. Dr. Greer serves this “complaint” per local rules.

Jurisdiction and Standing

Dr. Greer makes this request for injunctive relief in the form of a “complaint” per Ohio R. Superi. Ct. 66.03(B), which states:

“Establish a process for submitting in electronic format or hard copy comments and complaints regarding the performance of guardians appointed by the court, including actions of the guardian in denying a request of a person to visit with the ward, and for considering such comments and complaints.”

However, this Delaware County Court has failed to follow that rule and has no process for submitting electronic forms, unlike nearby Franklin County probate court, for example. Instead, Delaware County Probate Court LOC.R. 66.03 (B) GUARDIAN COMMENTS AND COMPLAINTS details the process for filing a complaint against a guardian. This complaint satisfies those local rules requirements.

Dr. Greer is the son of Martha Greer (“Martha”), the guardian in this case, and Thomas Greer (“Tom”), the ward of this Court. As next of kin, he is an Interested Party and has legal standing to make this motion without being a party in the case, per Ohio court rules. No motion to intervene (per Ohio Civ.R. 24) is required. Ohio Rev Code § 2105.06 (2016) defines “next of kin” in probate matters. Dr. Greer is the biological son of Thomas and Martha, which qualifies him as next of kin and Interested Party.

Wrongful death laws in Ohio also give Dr. Greer standing. In this instant case, there is clear evidence that the ward, Thomas Greer, is being illegally sedated. This has caused the ward to transform from a walking and talking man in June of 2022,¹ the last time that Dr. Greer saw him, into a bedridden unresponsive man with a bed sore now. He will soon be murdered by these actions, which will activate the wrongful death laws.

June 2022 video of Tom Greer walking and talking

<https://youtu.be/rFytcvcr2Mh0>

In *Lawson v. Atwood*, 42 Ohio St. 3d 69 - Ohio: Supreme Court (1989),

“R.C. 2125.01 *et seq.* provides a cause of action to certain designated parties for the death of a person which is caused by the “* * * wrongful act, neglect, or default [of another] which would have entitled the party injured to maintain an action and recover damages if death had not ensued * * *.”

R.C. 2125.01. R.C. 2125.02 states in relevant part: “(A)(1) An action for wrongful death shall be brought in the name of the personal representative of the decedent for the exclusive benefit of the surviving spouse, **the children**, and the parents of the decedent, all of whom are rebuttably presumed to have suffered damages by reason of the wrongful death, and for the exclusive benefit of the other next of kin of the decedent.””

The Law Governing Visitation Rights

Dr. Greer lives in Florida where visitation rights of the ward are defined by statute.

“Under Florida Statutes [Section 744.3215](#), a protected person retains the right to “receive visitors and communicate with others.” Also, Florida Statutes [Section 744.361](#) provides the guardian must “allow the ward to maintain contact with family and friends unless the guardian believes that such contact may cause harm to the ward.”²

With interstate probate matters, such as here, this Court can give judicial notice to state laws outside of Ohio. Of note, this motion does not relate to real estate or property issues. In property or estate disputes, only Ohio law could be used. However, in this instant motion, visitation rights are the issue.

In Ohio, case law governs visitation rights in probate matters. In *Guardianship of Batista*, 2014 Ohio 1349 (Ct. App. 2014).

“Appellate courts have recognized the authority of the probate court to govern visitation between a ward of the court and a family member. As

¹ https://youtu.be/H_Z7Fn75o84 and <https://youtube.com/shorts/kYqPvU3UAYU> and <https://youtu.be/rFytcvcr2Mh0>

² <https://bellerlawoffice.com/blog/visitation-after-a-guardian-is-appointed/>

the "superior guardian," **the probate court is granted authority to address matters of visitation with wards of the court.**"

Of note, the underlying details of *Guardianship of Batista* are the opposite of this instant case. Here, the ward, Thomas Greer, very much desires to see his son, Dr. Greer, as will be detailed below.

Two different powers of attorney also govern Dr. Greer's visitation rights, *inter alia*. A healthcare power of attorney and a financial power of attorney (see June 29, 2022 Order on docket) were both executed by reputable attorneys who sat with Tom Greer in person to assess his mental competence to sign such forms. Stipulations in those forms made Dr. Greer the guardian as well.

However, the now-recused probate judge signed off on a magistrate lawyer decision (Id.) that arbitrarily annulled those powers of attorney. All proper procedure was ignored by the magistrate lawyer and judge. During a June 2022 guardianship hearing, no effort was made to call the lawyers who executed the documents, etc. Because of that legal malpractice by the magistrate lawyer, and the fact that the judge recused himself, the decision to annul the powers of attorney should be stricken.

Overview of Facts

The Abandonment of Tom Greer

On January 24, 2022, Susan Harreld (the biological sister of Dr. Greer) and Mike Harreld (her husband) assaulted ward of this court Thomas Greer (Dr. Greer's 84-yo father with Alzheimer's) at his home in Delaware and then physically carried Martha Greer (Dr. Greer's 82-yo mother) with them, into their car, taking her across state lines to dodge police. Martha Greer, who suffers from Stockholm Syndrome, has been coerced by The Harrelds and lawyer Nick McCoy to claim that, on January 24th, she voluntarily abandoned her husband of more than 64-years and chose to stay in Washington, DC for six-month, all by her own free will.

A mere three-days after the January 24th incident, The Harrelds, not Martha, retained a Columbus lawyer, Robert Dunn, to begin the process of taking over the Greer Family Trust, which required having Tom Greer ruled mentally unfit. Rather than making any attempt to provide food and aid to Tom, they cut off his money supply instead and instructed nearby siblings, David and Bryan Greer, to not visit Tom and help.

Their **cruel and inhumane** goal in this conspiracy was to "pink-slip"³ Tom and remove him as a decisionmaker in the estate. Since The Harrelds already had Martha under their control, by eliminating Tom and his power of attorney, they would gain full control over the Greer Family Trust.

When he learned of this, Dr. Greer, was forced to move from Texas to Ohio in February of 2022 to care for his father with dementia. The bad actors did not expect this to happen and were forced to hold Martha Greer in Washington, DC while they schemed an alternative plan of action.

³ A term for when the police or other authorities deem that a person is incompetent and should be a ward of the state

The Guardianship Scam

Delaware lawyer Nick McCoy was then retained by the Harrelds under the pretext of Martha supposedly wanting to initiate guardianship hearings. However, as spouse and co-trustee, there was no need for her to become guardian. Dr. Greer was not preventing Martha from returning. In fact, he demanded it.

The only people who benefitted from making Tom Greer a ward were the bad actors in this case who are stealing from the estate. Martha Greer has admitted to Dr. Greer on recorded audio (EX 2) that she has no comprehension of why the probate case was opened. She actually thought that Dr. Greer had started the guardianship process when it was she who began the process.⁴

Tom Greer Placed Against His Will Inside a Nursing Home

On June 6, 2022, Thomas Greer, the ward of this court and father of Dr. Greer, was placed against his wishes into the Avalon nursing home in Franklin County, Ohio. At the time, Tom was a man able to live by himself for short periods of time. He dressed, bathed, and prepared meals on his own. He was alert and oriented with mid-stage Alzheimer's dementia.¹ All of his organ systems (i.e., liver, heart, kidney, bone marrow, etc.) were in perfect condition, as documented by three visits to the Ohio State University Medical Center ("OSUMC") that year.

During a probate hearing on February 27th, McCoy lied to this court, Dr Greer alleges, when he claimed that he did not place Tom Greer into that nursing home. In fact, Martha Greer was in Washington, DC at the time and mentally incapacitated by Susan and Mike Harreld. Martha had nothing to do with the decision other than to act as a pawn in signing forms. Mr. McCoy orchestrated the process of transferring Tom Greer from UH Parma hospital to the Avalon nursing home.

Lawyer McCoy has infiltrated the Delaware County government and is skilled at manipulating the system. As a favored lawyer of this probate court, he acts as if he is a magistrate lawyer, with his own mailbox in the clerk room and frequent *ex parte* communications to court investigators (see July 12, 2023 docket filing of Writ of Mandamus).

Using his knowledge of how to manipulate the probate system, McCoy orchestrated or assisted with two different bogus complaints about Dr. Greer to the Delaware County Adult Protective Services ("APS"), as well as two different bogus complaints to the Ohio Board of Medicine. All of the complaints were easily dismissed, but they served the purpose of casting doubt upon Dr. Greer with the nursing home staff, UH Parma Hospital staff who transferred Tom to the Avalon, APS staff who communicated with sheriff and hospital staff about Dr. Greer, and this probate court. That is how McCoy and the bad actors managed to strip Tom Greer from the care of his son, who was also the legitimate power of attorney for Tom.

Within just three-months of being jailed inside of The Avalon, Tom Greer deteriorated to a state where he required a wheelchair.⁵ This was due to the nursing home illegally sedating him with antipsychotic medications.

⁴ This Court stated during a February 27th probate hearing that it did not listen to these audio calls provided to it.

⁵ <https://youtu.be/P-6WwRSY7sM>

Tom was unhappy being in The Avalon and was acting up. As a result, family members arranged for an emergency appointment with a nearby OSUMC neurologist.

Dr. Greer knows nothing of the details of this OSUMC visit because his sibling in Colorado, Cindy Hall, illegally hacked into Tom's medical records (i.e., MyChart), and changed the password. Dr. Greer had been his parents' medical advocate helping them with MyChart, etc. for many years. Cindy Hall is among the "bad actors" sued in federal court by Dr. Greer.

Martha the guardian did not have authority to allow Cindy to violate federal HIPAA laws by hacking into Tom's MyChart using Martha's back-door access to Tom's MyChart. Moreover, if Martha were unable to even manage a simple MyChart, she should have reported this to the probate court. Lawyer McCoy was aware of all of this and he too should have reported this to the probate court.

At some point late in 2022, Tom exhibited signs of a stroke. He did not receive any medical care, as detailed below.

When Dr. Greer learned in December of 2022 from court records that his father was under a hospice protocol and being sedated so much that he was asleep during the day, he reported this to various agencies and this Court. The nursing home removed the sedatives and Tom rebounded to being alert and oriented, proving his decline was not caused by stroke or Alzheimer's.

However, the damage was done. The prolonged sedation caused Tom to develop a pressure ulcer or bed sore. Despite being an expert on wound care, with government grants for clinical trials on bed sores, Dr. Greer knows nothing about the size, location, or therapy being applied to this wound. His efforts to find out have been blocked, as detailed below.

Martha Greer is Mentally Incapacitated

Dr. Greer has tried to tell multiple agencies that Martha Greer is mentally incapacitated and the victim of elder abuse. However, no competent psychologist trained in hostage situations has ever interviewed Martha. The Delaware County Sheriff (DSCO) and New Albany Police Department (NAPD) interviewed Martha, without a psychologist present, and were monitored during the interview by lawyer McCoy. The Delaware County Probate Court investigators and Delaware County Adult Protective Services (APS) also lacked the medical training to assess Martha.

Of note, Martha Greer has been mentally incapacitated since her marriage in 1956. Those details can be provided to this Court *in camera*.

Suffice it to say that Martha is a skilled liar on first blush, but not a sophisticated one. Her lies can be exposed quickly with simple logical questions that have never been asked.

Before the February 27th probate hearing, Judge Michael asked Dr. Greer for a list of questions that he should ask of Martha. However, most of the questions were not asked.⁶

There is ample evidence that Martha Greer is mentally incapacitated:

- Martha's decision to abandon her husband with Alzheimer's is inexplicable. Even taking Martha's testimony at face value, then she should be immediately disqualified as a guardian. Her actions jeopardized Tom Greer's life. Only because Dr. Greer arrived in Ohio was Tom's life spared.

⁶ A transcript of the hearing should be made by this Court. The audio recording exists.

- Martha’s decision to stay in Washington, DC for six-months, obtaining a new doctor in DC when her OSUMC care was superb, defies explanation. Martha had no serious ailments that required a doctor in DC. The Harrelds concocted ailments to support their hoax that Martha was in DC for medical reasons. It was a form of Munchausen Syndrome perpetrated on an elder by The Harrelds, Dr. Greer believes.⁷
- In January of 2022, the Harrelds hired their own lawyer, Robert Dunn, only a few days after abducting Martha. This proves their motives and the existence of a conspiracy. The best interest of Tom and Martha were not a priority.
- Martha’s decision to hire lawyer McCoy defies logic. This action only cost Martha tens of thousands of dollars while gaining her no legal power that she did not already have. Dr. Greer believes that the hiring of McCoy was actually done by the Harrelds and benefitted them in their conspiracy to steal from the estate. He lodged a complaint against McCoy with the Ohio Supreme Court (EX 3).
- On multiple occasions, Martha has called Dr. Greer seeking help to free her from the Harrelds.
 - In July of 2022, Martha called him several times after Mike Harreld had left the house and allowed her to make the call in secrecy (EX 1).
 - In February of 2023, Martha called Dr. Greer (EX 4) stating that she wanted him back in the family. She also admitted to lying to the Delaware sheriff in June of 2022 as lawyer McCoy and The Harrelds stood near her, coercing her. **The sheriff deputy found that incident to be so suspicious that she refused to issue a “no-trespass” against Dr. Greer.**
- Martha has been coerced into not providing vital medical care to Tom.
 - On June 25, 2022, Martha and the Harrelds stopped an emergency squad transfer of Tom to OSUMC for a court-ordered evaluation prior to the probate hearing.⁸
 - At some point in late 2022, the Avalon nursing home wanted to send Tom to the hospital to rule out stroke. Martha refused because the Harrelds did not allow it. Martha’s explanation for this during the February 2023 probate hearing was proof of her incompetence as a guardian.
 - In February of 2023, when Martha called Dr. Greer, they agreed on a recorded call to transfer Tom to OSUMC for proper care of his bed sore. An hour later, after speaking with the Harrelds, Martha reversed course and prevented the care.

⁷ Dr. Greer knows Susan Harreld well, since childhood. He believes that she suffers from severe mental illness that has led to divorces and other problems in her life. She is beyond being merely a “strong personality”. She has antisocial and psychotic traits, Dr. Greer believes. Her ex-husband, Christopher Holt, MD, JD, who is a psychiatrist, could testify to this. This is one reason why Dr. Greer has chosen to be estranged from most of his family.

⁸ <https://youtu.be/cnoVu7AcZfw>

- In April of 2023, Martha prevented the best wound care surgeon in the world, Christopher Attinger, MD, from even speaking on the phone to a doctor at the Avalon.
- Shortly after that, a visiting nurse team from the OSUMC was stopped as well.
- In July of 2023, a lawyer who was obligated to investigate by Ohio law, was also prevented from seeing Tom.
- On August 22, 2023, on Tom's birthday, Dr. Greer tried to call his parents and was not allowed by the nursing home to get through. After a NAPD officer visited Martha on a wellness check, she lied to the police about various facts.

Tom Greer Wishes to Visit with His Son, Dr. Greer

Thomas Greer, the ward in this Court, has made it clear in many ways that he wants Dr. Greer to be his caretaker. There are numerous videos of Tom stating this, and Tom completed two different powers of attorney as lawyers witnessed the process, which are on the docket.

These are some of the videos taken last year of Tom expressing his appreciation of Dr. Greer:

- <https://youtu.be/fpAw-F51HKk>
- <https://youtu.be/ZX0EeFb5Wt8>
- https://youtube.com/shorts/spY_aGR2ajc

In addition, Tom has stated on video and in writing that he does not want the bad actors taking care of him. He vehemently opposes the Harrellds even stepping foot on his property, but yet Mike Harreld is now the one acting as the *de facto* guardian controlling Tom's healthcare.

- <https://youtu.be/rTjPKrY0YF8>
- <https://youtu.be/62uHRceyFfA>

What has taken place over the last 14-months is Tom's worst nightmare. The people he feared would harm him are now in full control of his life.

Dr. Greer Has Been Prevented from Visiting His Parents

As detailed above, Dr. Greer has every legal right to visit his father (whom he cared for every day for six-months while Marth Greer had abandoned her husband) and to visit with his mother. However, bad actors in this case (i.e., Susan and Mike Harreld, Cindy Hall, Bryan Greer, Sarah Greer, and David Greer), and their *de facto* lawyer Nick McCoy) have taken extraordinary measures to prevent Dr. Greer from contacting his parents.

Dr. Greer believes their actions are motivated out of the fear of Dr. Greer exploding their conspiracy to steal the Greer Family Trust should he be able to inspect his father and have his mother give damaging testimony about their conspiracy. This has all been detailed in numerous letters to the court and in a federal lawsuit. Already, Dr. Greer has recorded calls from his mother admitting that she was coerced into lying to police and wishing him back in the family.

The Hospice Medicare Fraud Scheme

Dr. Greer also has proven that his father has been used as a part of an illegal Medicare fraud scheme using hospice. Medicare will reimburse the cost of private nursing home care by approximately \$4,000 if the person is listed as being “terminal” under hospice. The financial report provided by lawyer McCoy (see June 29, 2023 docket “Account Filed”) shows that the Avalon bill is only \$6,000 per month when the actual amount is \$10,000. This proves that Medicare is being billed for hospice.

The bad actors placed his father under hospice for no legitimate reason. The recent “expert report” provided by lawyer McCoy was from an Avalon nurse because no doctor was willing to put his/her name on the form. To this day, no one has ever learned the name of the mystery doctor prescribing Tom antipsychotic and placing him under hospice. **The fact that Tom is still alive, long after the 6-month limit of hospice, proves that he never should have been listed as “terminal”.**

The Nursing Home Cover-Up

That hospice status has also enabled illegal sedation of Tom that has led to a bed sore. When Dr. Greer tried to have wound surgeon Christopher Attinger, MD simply call the nursing home to inquire about the wound, he was obstructed, as mentioned before. When Dr. Greer worked with the medical director of the Ohio State University Medical Center, Andy Thomas, to send a visiting nurse team to see his father, that team was stopped at the front desk. When a local lawyer, obligated by law to investigate, tried to lay eyes on Tom Greer, Martha Greer prevented her from inspecting him.

There is overwhelming evidence of foul play. The nursing home and the bad actors are clearly covering up their medical mistakes in order to stifle litigation. In fact, after Dr. Attinger filed a complaint letter (see April 24, 2023 docket filing) with this court, it was Mike Harreld acting as the *de facto* guardian, not Martha Greer the proper guardian, who tried to call Dr. Attinger. When that did not succeed, their *de facto* lawyer, McCoy, then sent Dr. Attinger a threatening letter (see April 27, 2023 docket filing by McCoy), which was proof that the wellbeing of Tom Greer is not the priority of the guardian. No sane and responsible guardian would turn down the good intentions of the best wound surgeon to help their ward with a bed sore.

Dr. Greer Was Not Allowed to Speak to His Father

On August 22, 2023, which is Tom’s birthday, Dr. Greer tried to simply call his father. The nursing home staff intervened and hung up the phone.

Dr. Greer called the NAPD and an officer made a wellness check. Martha lied to the police.

Martha claimed that Dr. Greer had been issued a “no-contact” order. No such order or request has ever been made. In fact, Dr. Greer asked the NAPD how he should go about visiting

his father. The NAPD stated that he was allowed to see Tom if he arranged it through Martha (EX 5).

Martha then lied and claimed that the family had estranged Dr. Greer and that she did not want him in the family. That was clearly a coerced comment that has been proven to be a lie by Martha's own comments on numerous phone calls, detailed above.

Martha Greer's Startling Decline in Mental Capacity

As previously mentioned, Martha Greer called her son, Dr. Greer, on February 13, 2023 for his birthday. That recorded call was incriminating to Martha, proving she had lied to Delaware County Sheriff in June of 2022 with an attempt to get a no-trespass on Dr. Greer from his own property, which required her lying about Dr. Greer stalking her, etc. (EX 4).

After that call was reported to this Court, the Harrelds changed Martha's iPhone number for a third time (a new phone that was purchased for her by Dr. Greer in 2021). They had done the same thing in July of 2022 after Martha called Dr. Greer. On this February 2023 call, Martha gave Dr. Greer her new number and told her to call her.

Disturbingly, on the February 13th call, Martha is heard eagerly agreeing to send Tom to OSUMC. Then, an hour later, she reversed her decision under duress from the Harrelds.

Then, just two-weeks later, after lawyer McCoy coached her, Martha gave what is clearly a "hostage tape" statement to this Court during the February 27th hearing. She claimed that she wished Dr. Greer was not involved in the entire matter. Her comments went unchallenged. Now, on August 22, 2023, Martha is back to her "hostage tape" behavior of Stockholm Syndrome and lying to the NAPD when Dr. Greer tried to call his father.

Martha Greer's mental capacity has eroded considerably over the last six-months. The bad actors are clearly increasing the coercion. Those same bad actors have transferring hundreds of thousands of dollars from Martha's bank accounts to their own at PNC Bank. Lawyer McCoy asks this court to allow him to take large sums of money from Martha as well.

Martha Greer is thoroughly mentally incapacitated. A thorough, multi-day, mental exam of Martha Greer, conducted as an inpatient at a proper facility, is required now if this court does not have enough evidence to remove her as guardian.

Dr. Greer Should be Tom's Guardian

Thomas Greer's life is in dire jeopardy. It is a testament to his good health 18-month saga that he is even still alive.

There is now ample evidence that the bad actors are motivated out of fear of discovery to see Tom killed soon. Their method for this murder is to use Medicare fraud, hospice, nurse "experts" of the guilty nursing home, and illegal sedation to kill Tom Greer.

Dr. Greer is the rightful guardian over Tom Greer per two powers of attorney that were arbitrarily annulled by an incompetent magistrate lawyer and now-recused judge.

Aside from that, Dr. Greer is the best person to be Tom's guardian. From January through June of 2022, Dr. Greer was the only person taking care of Tom, despite siblings Bryan and David living nearby, and the Harrelds making frequent visits to Ohio. Dr. Greer coordinate the

best possible medical care for Tom during this period while the bad actors were doing their best to take away Tom's money sources.

Dr. Greer spent approximately \$100,000 of his own money to live in hotels, drive 60-miles roundtrip each day, pay for lawyers, etc. in the course of caring for Tom. Dr. Greer has never taken money from any Greer Family Trust or other bank account for his own use. In fact, he raised more than \$160,000 for Tom after the Harrelds cut off his money sources.

Dr. Greer is also a well-respected doctor and medical advocate. Based on his knowledge of Tom's condition, he has a plan of action to transfer Tom to OSUMC, wean him from the medications, place him in rehab as his wound is properly treated, and then place Tom into a Medicare-funded long-term hospital.

PRAYER FOR RELIEF

WHEREFORE, Steven Greer, respectfully requests that this Court enter a decision for injunctive relief of the following:

- A) Dr. Greer will have direct phone access to both of his parents, Thomas and Martha Greer.
- B) Dr. Greer will have full visitation rights to both of his parents, Thomas and Martha Greer.
- B) The sedation of Thomas Greer, as well as the hospice protocol, will be discontinued
- C) The medical doctor ordering the medications at The Avalon will be identified.
- D) A hearing will take place to weigh the merits of removing Martha Greer as the guardian of Tom Greer and replacing her with Dr. Greer.
- E) No one but Martha Greer and Dr. Greer will be allowed to make any financial or medical decisions for Thomas or Martha Greer.
- F) A criminal referral to the federal authorities that oversee Medicare fraud and bank fraud.
- G) A hearing to determine whether or not lawyer Nick McCoy has misled his client Martha Greer, and this Court.

/s/: Steven Greer
Steven E. Greer, MD
(212) 945-7252

Exhibit 1

Martha, yelled at Tom, and hung up without Martha's consent to end the call.⁴⁸ The logical questions were piercing the veil of the conspiracy and Susan had to shut down the call.

297. A few days later, on April 3rd, Tom called Susan's phone, because Martha was not allowed to answer her phone now, and Susan answered. Both of The Harrelds spoke on a car speakerphone. Martha was in the car as well. The Harrelds did not allow Tom and Martha to ever have a confidential communication about finances, their marriage, etc.

Martha Calls Plaintiff for Help

298. In July, Martha grew weary of the 24/7 supervision by Defendants. Mike Harreld, who is a 77-year-old non-blood-relative male with a recent history of violence,⁴⁹ was sleeping in the Delaware home with Martha for unknown reasons.⁵⁰ Susan Harreld was taking turns staying at their Washington, DC house.

299. On Saturday, July 16, 2022, called Plaintiff throughout the day. During those calls, it was obvious that Martha was sneaking them while Mike Harreld was out of the house or in another room. She would abruptly hang up when he returned.

300. The purpose of the calls was for Martha to tell Plaintiff that she did not mean the words she had stated to police and other people claiming that she did not want Plaintiff on her property, etc. She stated that she wanted Plaintiff back in the family.

301. **Call No. 1:** On July 16th, at some time after 6:00 PM, while Plaintiff was hitting golf balls, he received a call from his mother, Martha Greer. He had not heard from here in any months. This was approximately one-month after the probate court hearing and

⁴⁸ Video of after the call <https://youtu.be/3kNRWzytAfg> and full call here <https://youtu.be/V9nirNX6tts>

⁴⁹ See video <https://youtu.be/kaYyDn37uZ0>

⁵⁰ Plaintiff has not stepped foot on the property at 633 Willey Road since the June probate court awarded guardianship to Martha and revoked Plaintiff's powers of attorney. Defendants cannot claim that The Harrelds needed to stay with Martha at the Delaware home for her safety from Plaintiff. In the defamation causes of action, it details how Defendants have fabricated accusations that Plaintiff has somehow harassed them into requiring this close watch over Martha.

she was supposed to be taking care of Tom Greer and living at her home at 633 Willey Road. Plaintiff was unable to record this call.

302. During the call, Plaintiff learned the extent to which Martha had been misled by her captors.

303. Plaintiff asked her why she took the effort and expense to go through probate court in order to gain guardianship over Tom when she was already his spouse and co-trustee. She replied, “I thought you did that.” Martha was unaware that she was the reason used in court for her funds to be depleted on legal fees for lawyer McCoy. She thought Plaintiff was the bad person causing all of that.⁵¹

304. Plaintiff asked why Tom Greer was in a nursing home. Martha told Plaintiff that Tom was, “Really far gone...” Plaintiff explained that the nursing home had Tom on sedatives and that was why he was so much worse than when she last saw him.

305. Martha explained that she did not have much time to speak. She was calling him while Mike Harreld had left the house to see doctors about an unknown chronic illness. It was clearly a call she was sneaking, as would be confirmed below.

306. **Call 2:** During this call heard here https://youtu.be/cS578BMn2_8, Martha left a voice message with Plaintiff about her watching the TV show Jeopardy. She was in good spirits and not slurring her speech.

307. **Call 3:** During this call, at 7:57 PM, Plaintiff called Martha to return her messages. The call can be heard here <https://youtu.be/FSDTj7HB3Ng> .

308. Martha quickly began speaking in code. Plaintiff asked her, “So, you can’t talk because Mike is there?”, and Martha replied, “Right.”

⁵¹ Plaintiff filed a complaint with the Ohio Supreme Court accusing The Harrelds of being the true clients of lawyer McCoy. The disciplinary committee deferred action until other litigation is resolved.

309. **Call 4:** At 8:06 PM, Martha called Plaintiff. The call can be heard here https://youtu.be/otmN5L0_7qc .

310. Martha began by stating, “I love you, Honey Bunny”

311. She explained that she was able to call now because Mike Harreld was out of the house.

312. Plaintiff asked her why she was slurring her speech. He was convinced she was on a medication. She eventually admitted that she was intoxicated on wine. Plaintiff had never heard his mother intoxicated before.

313. Plaintiff asked her why, on June 21st, with Susan Harreld standing over her shoulder, she told the sheriff to not let Plaintiff on the property. Martha replied, “I wish that was not correct...**Steven, you are my wonderful son...I do not want you eradicated...you are my wonderful wonderful son**”

314. **Call 5:** At 10:06 PM, Martha called Plaintiff one last time while she was in bed and Mike Harreld was in the next room. The call can be heard here <https://youtu.be/aWKqbvyTF9A> .

315. She said, “I am going to bed. I just wanted to say night night. I love you sweetheart.” Plaintiff asked if Mike Harreld knew she was calling and she replied, “No.”

316. **Plaintiff asked, “When Mike Harreld is gone, do you want me to come help you?” Martha replied, “If need be, YES.”** (capital letters to reflect the emphasis in her voice).

317. Plaintiff reported this incident to the Delaware County, Ohio sheriff and adult protective services (EX. 12).

318. However, Plaintiff was never able to help his mother. Defendants quickly took her to Washington, DC, explained below.

Martha's Phone is Confiscated

319. Plaintiff promptly reported these calls from Martha to the Delaware County Sheriff.

320. The next day, on July 17th, Martha disappeared from her home and her phone was confiscated by Defendants. They shut down her long-time phone number of (740) 816-7083. Martha was taken back to Washington, DC, Plaintiff believes. Martha's iPhone 13, purchased for her by Plaintiff, and her iPad, also purchased for her by Plaintiff, had been taken away.

321. Also on July 17th, Defendants lied to the Delaware County Sheriff claiming that a restraining order was in place against Plaintiff. The Sheriff Department later apologized for being fooled (EX 12).⁵²

322. This was just one of many occasions in which Defendants have played this card and lied about restraining orders being in place.

The Loss of Plaintiff's Father

323. Plaintiff's loss of consortium relating to his father began in January when he was forced care for him remotely and then drive a long distance to Ohio. He watched Tom try to cope with being suddenly abandoned by his wife, not understanding why it all happened. Tom Greer is still suffering from this severe and permanent injury. It was truly heartbreaking and tragic for Plaintiff to witness.

324. **On three occasions, Dr. Greer had to admit his father into the OSUMC to treat states of delirium that were aggravated by malicious phone calls or visits by Defendants.**

⁵² There has never been any attempt to obtain a restraining order against Plaintiff because there are no grounds for such an action. Plaintiff anticipated this lame defense strategy and did not want to give Defendants any excuse to call him "harassing" or "stalking" as a justification for their abduction of Martha.

Exhibit 2

Steven E. Greer, M.D.

(212) 945-7252

Steve@QOLclinic.com

Karen H. Osmond
Senior Assistant Disciplinary Counsel
THE SUPREME COURT OF OHIO

RE: File No. C2-0582

July 16, 2022

Dear Ms. Osmond,

I am writing to update you with more evidence that lawyer Nickolas McCoy has engaged in unethical legal practice regarding his representation of Martha Greer.

My mother called me today after several attempts to trigger a response from me via email. She is now staying in their Ohio house. However, strangely, Mike Harreld is with her as Susan Harreld is in Washington, DC. I asked why he was there and she did not know.

As we were speaking, I was astonished to learn that my mother thought that I had been the one to initiate the probate court petition for guardianship over my father. In fact, the petition was initiated by my mother. However, it clearly was not truly my mother doing this since she had no idea what it was all about.

Recall, as the co-trustee and spouse, my mother never needed the guardianship power. I wondered what their (i.e., The Harrelds) excuse was for this. A guardianship only served the benefit of The Harrelds who needed me out of the way for them to take over my father.

Clearly, lawyer McCoy is representing The Harrelds and not my mother. He is not even briefing her on the nature of the probate petition she supposedly started.

I suggest you call my mother ((740) 816-7083) and interview her extensively, by herself. You will learn that she never hired lawyer McCoy to begin with, was out of the loop with all important decisions, and other acts worthy of disbarment.

Of note, also during the several calls my mother made to me today, she said that she never meant what she told Deputy Jenkins on June 21 when she stated that she wanted me barred from the property. Susan Harreld was coercing her.

Sincerely,

Steven Greer, MD

Exhibit 3

THE BAR OF OHIO
THE SUPREME COURT OF THE STATE OF OHIO

STEVEN E. GREER, MD

Steve@GreerJournal.com
(212) 945-7252

pro se Appellant,

-against-

OFFICE OF DISCIPLINARY COMMITTEE
FOR THE SUPREME COURT OF OHIO

65 E. State St., Suite 1510
Columbus, Ohio 43215
joseph.caligiuri@odc.ohio.gov
(614) 387-9700

Appellee,

Case No. C3-1127 McCoy

GRIEVANT'S APPEAL OF ODC DECISION

To Richard Dove,
Director of the Board of Professional Conduct for the Supreme Court of Ohio

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Steven E. Greer, MD, the *pro se* Appellant for his Complaint against Ohio lawyer Nickolas McCoy, hereby appeals the August 3, 2023 Decision (“Decision” (**EX. 1**)) from the Office of Disciplinary Counsel (“ODC”) for the Supreme Court of Ohio dated August 4, 2023, for Case No. “C3-1127 McCoy”.

JURISDICTION

1. No Ohio statute established the creation of the ODC. The ODC is a product of court rules.

2. According to the ODC’s own letter to Appellant, dated August 4, 2023, the ODC is governed by the Supreme Court Rules for the Government of the Bar of Ohio, Rule V.

3. The ODC is a grievance committee by definition. Section V, “(The ODC shall) Initiate and prosecute complaints as a result of investigations under the provisions of this rule”

4. Section V governs the Board of Professional Conduct for the Supreme Court of Ohio, which is the body that doles out punishment for wrongdoing when a grievance committee, such as the ODC, determines that wrongdoing took place.

5. Section 10(D) of Rule V details the appeal process:

“Appeal. A grievant who is dissatisfied with a determination by a certified grievance committee not to file a complaint may secure a review of the determination **by filing a written request with the director of the Board** within fourteen days after the grievant is notified of the determination. The director shall refer the request for review to the Office of Disciplinary Counsel or, in the case of a conflict, to another certified grievance committee...”

6. The “Director” referred to in that rule is **Richard Dove**, Director of the Board of Professional Conduct for the Supreme Court of Ohio.

7. Therefore, Appellant is the grievant in the lower grievance committee and directs this appeal to Mr. Dove and that Board.

ISSUES TO BE DETERMINED

Did the ODC Ignore Evidence?

1. Appellant submitted numerous letters of grievance to the ODC. They included factual evidence, such as audio recordings and pictures of fraudulent checks. Yet the Decision seems to have ignored all of that.

2. Did the August 3, 2023 Decision fail to consider relevant factual evidence against lawyer McCoy?

Is an ODC Decision Unappealable?

3. The ODC claims that it is not a grievance committee, and decisions it renders cannot be appealed.

4. Is that true? Has the Supreme Court ever ruled on that? Are there statutes or case law decisions to support the assertion that the Decision cannot be appealed?

5. Is it constitutional for an organization created by fiat, such as the ODC, to be unappealable and unaccountable?

Procedural History of the Complaint

March 2022

6. Appellant filed the first complaint about lawyer McCoy to this ODC in March of 2022 (**EX. 2**).

7. That complaint alleged, *inter alia*, that McCoy was, in reality, hired by *de facto* clients (“The Bad Actors”) conspiring to steal from Martha Greer and her Greer Family Trust, and that Martha Greer was unaware of the need to even hire a lawyer. In fact, McCoy was contacted by the Bad Actors, who live in Washington, DC, and never met Martha Greer before taking her on

as a client.

8. McCoy was warned of this (i.e., that Martha was under duress and that McCoy needed to meet her in person) by Appellant and yet he still proceeded to unethically take on “Martha” as his client after only a remote phone call.

9. The Decision states:

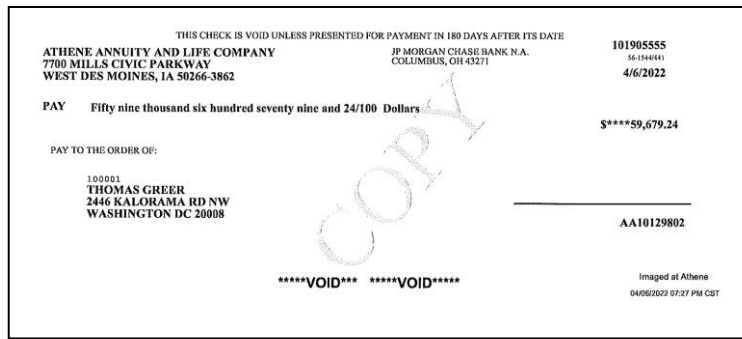
“Our review of your allegations began in March 2022 when you filed your first grievance against Mr. McCoy. In your first grievance, you claimed that Mr. McCoy was committing ethical misconduct by representing your mother because you had also contacted him about representing your father and had provided confidential information to him. You also alleged that Mr. McCoy was doing the bidding of the Harrellds, not your mother.”

April 2022

10. One of the assets held in Tom Greer’s name (i.e., not part of the Greer Family Trust) was a \$60,000 annuity held at Anthene Annuity and Life Company. The Bad Actors were in the process of closing Tom Greer’s accounts and stealing his money at the time. The Anthene assets were a problem for them because it was in Tom’s name and they could not claim that Martha was in charge of the funds.

11. When Appellant requested records from the Delaware County Sheriff, one of them showed a scanned image of a \$59,679.24 written to Thomas Greer from his Anthene Annuity.

12. However, the address listed for Tom was at the Bad Actors’ house in Washington, DC. Tom Greer has never lived at that address.



13. This was evidence beyond a reasonable doubt that the Bad Actors were engaging in theft, bank fraud, mail fraud, RICO, and elder abuse.

14. Martha Greer, the spouse of Tom at the time and not yet the guardian, would not have been able to do this legally. The Harrelds were not the powers of attorney. Even if they were, they could not deceive Anthene Annuity about Tom Greer's address.

15. Appellant forwarded this to the ODC. Instead of investigating, the ODC ignored the evidence.

July 2022

16. On July 16, 2022, Appellant filed a second letter of grievance with the ODC (**EX. 3**).

17. The letter was an update to inform the ODC that Appellant had received a disturbing series of phone calls from his mother, Martha Greer, seeking help from Appellant (i.e., her son) to ward off one of the Bad Actors described above, Mike Harreld. Mr. Harreld, a 78-year-old son-in-law to Martha, former senior PNC banker who lives in a \$10 million house in Washington DC, was for unknown reasons living with Martha in her Delaware house for many weeks. Appellant believes the Bad Actors had to keep a 24/7 watch over Martha or else she would come

to her senses and try to escape from them.^{1,2}

18. The first phone call from Martha to her son was made on July 16, 2022 while he was on a golf course. It was not recorded. Mike Harreld had left the Delaware house giving her an opportunity to call. During that call, Martha explained that she knew so little about the Delaware probate matter that she thought Appellant had been the one to initiate it legal proceedings (see EX. 3 where Appellant memorialized this call.).

19. That meant that Martha's lawyer, McCoy, had at the least failed to receive informed consent from a competent person, Martha, before being retained by her. It supported the warnings Appellant had given to McCoy that were memorialized in the first grievance letter (i.e. that Martha was mentally incapacitated, being coerced, and could not have possibly have hired him while she was in Washington, DC).

20. However, rather than take prompt action, the ODC terminated the investigation into McCoy with a July 19 letter (**EX. 4**) that stated:

“We have received and reviewed your July 16, 2022 letter. We have also listened to the audio recordings of the phone calls with your mother that you provided. In your letter, you claim that Attorney McCoy is clearly “representing The Harrelds and not my mother.” **While we appreciate your concerns, we believe that issue is best considered by the probate court presiding over your father’s guardianship.** If your mother no longer wishes to serve as your father’s guardian, she can certainly file the appropriate paperwork with the court. Similarly, if she does not believe that Attorney McCoy is communicating with her appropriately, she may file a grievance with our office addressing our concerns. Finally, if you believe that Attorney McCoy or the Harrelds are taking advantage of your mother or harming her in any way, we suggest that you contact Adult Protective Services or file the appropriate

¹ In a federal complaint, Appellant described Mike Harreld as a con artist who drinks and commits violence. For example, after the July 16th calls from Martha to Appellant, he called the Delaware County Sheriff. They went to the Delaware house and were talked out of needing to lay eyes on Martha by clever talking from Mr. Harreld. This is the body cam footage. https://youtu.be/7_ocBNXppPQ

² As an example of Mike Harreld's violent nature, this is the video of him assaulting Appellant in June of 2022 while the Bad Actors were trespassing on the Delaware property. Appellant was the power of attorney over the property at the time. <https://youtu.be/kaYyDn37uZ0>

paperwork with the probate court. For the above-mentioned reasons, our file on Mr. McCoy will remain closed. (Signed Karen Osmond)”

21. The ODC clearly, in writing, stated that it planned to shirk its duties and delegate the credible allegations of a lawyer committing numerous crimes to a probate court that lacks jurisdiction or mission to investigate a lawyer.

22. The ODC July 19 decision essentially claimed that 81-yo Martha (at the time), who was the victim of elder abuse and being coerced by people whom she feared, would somehow rise up in court, with the bad lawyer standing next over her shoulder, and ask for McCoy to be removed.

23. This was the first of several conclusory opinions made after sham investigations. There was no effort to interview Martha Greer at all despite Appellant providing evidence that the client of McCoy was the subject of elder abuse and crimes by McCoy.

24. Appellant disagreed with the July 19 whitewash letter and continued to file grievances.

September 2022

25. On September 2, 2022, Appellant filed the third grievance letter to the ODC (**EX. 5**). This time, he updated the ODC about the bad actors colluding with McCoy to sell a \$200,000 commercial property owned by the Greer Family Trust. Martha Greer was supposed to be the guardian and trustee making these decisions. However, in fact, the Bad Actors had thoroughly taken over control of the Greer Family Trust by coercing a mentally incapacitated 81-yo woman. The revenue from that sale went into PNC Bank accounts managed by the Bad Actors.

26. On September 21, 2022, the ODC replied with a letter (**EX. 6**) explaining that they were closing all investigations into McCoy because Appellant had filed a federal complaint against McCoy. That was factually false. There was no such federal complaint, yet the ODC refused to change its decision to close the investigation. The federal lawsuit claim was an excuse by the ODC

to continue to shirk their duties to investigate.

27. Of note, the Decision being appealed here makes no reference to these September complaints.

February 2023

28. The Bad Actors had taken away Martha's phone, for the third time, after she made the July 2022 calls to her son, Appellant. He had not heard from her for six-months.

29. Then, on February 13, 2023, which is Appellant's birthday, he received a call from his mother, Martha Greer, as she has done every year of his life. He recorded the calls (See URL links in **EX. 7** for the actual audio).

30. During this series of calls, Martha admitted:

(A) That she had no comprehension of the ongoing probate court legal matters being handled by McCoy.

(B) That she was coerced by McCoy and the Bad Actors, who were with her, to make a false police report in June of 2022 (The Bad Actors and McCoy coerced her into making a no-trespass request against Appellant. However, the Delaware County Sheriff knew that Appellant was the power of attorney over the Delaware property and that a probate hearing was scheduled. Therefore, the sheriff did not call Appellant to execute a no-trespass warning.).

(B) That Appellant had never been stalking her (The stalking narrative was concocted by McCoy as ways to manipulate the Delaware County probate and law enforcement system. It gave an excuse for why the Bad Actors were abducting and monitoring Martha 24/7.).

(C) Martha also agreed to stop withholding medical care for Tom Geer and transfer him to the Ohio State University Medical Center. However, after talking to the Bad Actors, Martha was coerced to cancel the hospital transfer.

31. On March 21, 2023, the ODC replied (**EX. 8**). This time, the head of the ODC, Joseph M. Caligiuri, wrote the letter. Once again, the ODC refused to investigate using the ongoing probate court actions as the pretext for the ODC to shirk their duties.

April 2023

32. In April of the next year, 2023, Appellant held the ODC to the wording of their July 2022 and March 2023 denial letters. The federal case used as a pretext for doing nothing had been resolved and the probate court matter was also resolved.

33. On April 21, 2023 (**EX. 9**), Appellant informed the ODC of the above and requested that the ODC finally initiate an investigation into McCoy.

34. On April 26, 2023, Appellant filed the fifth complaint to ODC about McCoy (**EX. 10**).

35. The Decision summarized this fifth complaint as:

“In April 2023, you advised our office that both the Delaware County Probate Court matter and the federal matter had concluded. In response, we asked you to resubmit everything you wished for our office to consider. As requested, on April 26, 2023, you submitted your "updated omnibus" complaint against Mr. McCoy. In that complaint, you alleged that:

1. Mr. McCoy "actually represents my siblings who are perpetrating a RICO scheme to steal my parents' estate;"
2. Mr. McCoy displayed incompetence by not answering a question that the Delaware County Probate Court judge asked him on February 27, 2023;
3. Mr. McCoy misled the Delaware County Probate Court by failing to disclose that your mother was referred to him by an attorney who represented the Harrelds;
4. Mr. McCoy misrepresented to the court the nature of voicemails that you left him;
5. Your mother has no comprehension of the probate matters and that she is not making guardianship decisions;
6. Mr. McCoy is "fleecing" the Greer Family Trust by enabling the Harrelds to gain access to bank accounts in order to pay him; and
7. Mr. McCoy is "orchestrating a plot to murder" your father.”

36. On April 27, 2023, the ODC initiated a new investigation into McCoy. An email from the ODC stated:

From: Luttrell, Lori <Lori.Luttrell@sc.ohio.gov>
Sent: Thursday, April 27, 2023 9:57 AM
To: SG <steve@greerjournal.com>
Cc: Caligiuri, Joseph <Joseph.Caligiuri@sc.ohio.gov>; Osmond, Karen <Karen.Osmond@sc.ohio.gov>
Subject: RE: C2-0582 McCoy

PERSONAL AND CONFIDENTIAL

Mr. Greer,

Good morning. I have received your grievance form/complaint and additional emails with attachments/audio files. They have been forwarded to our Intake Department **and a new investigation file number will be assigned.** Thank you.

Lori”

37. On April 8, 2023, Appellant sent ODC another update (**EX. 11**). It included emails obtained by a records request. The emails showed an illegal collusion between McCoy and Delaware County Probate Court investigators prior to the February hearing. The two were conspiring and colluding to create a misleading testimony to the probate judge. That judge reports to this Supreme Court as a visiting judge to the probate court.

August 2023

38. More than three months transpired after the new McCoy investigation was initiated.

39. Then, on August 3, 2023, the ODC sent a “Closing Letter” ending the McCoy investigation (**EX. 1**).

40. The flaws in the rationale of that letter are detailed below.

41. Essentially, after a year and a half of trying to not investigate lawyer McCoy, and only after Appellant called their bluff and forced an investigation, the ODC produced a whitewash report flagrantly ignoring all of the tangible evidence.

42. The ODC made a mockery of justice out of the grievance process and now wants their whitewash report to not be appealable.

ARGUMENTS

The Decision Ignored Crucial Inspector Tackett Records

43. On page 3 of the Decision, it mentions the name of the Delaware County Probate Court inspector, Teresa Tackett, but there is no mention at all of the incriminating records obtained by the Greer records request.

44. On April 28, 2023, Greer emailed the ODC documents obtained from a records request that proved Tackett and McCoy were engaging in improper *ex parte* communications shortly before probate hearings for the purposes of colluding to get their testimony to be on the same page. (EX. 11)

45. This omission is disturbing. It casts into doubt the integrity of the entire ODC “investigation” into McCoy. Appellant believes the Decision was a whitewash.

46. With Exhibit-11 alone, Appellant proved wrongdoing, yet the Decision ignored the evidence. For example:

From: Nickolas K. McCoy - McCoy Law LLC
[mailto:nkm@mccoylelawllc.com]
Sent: Friday, February 10, 2023 9:38 AM
To: Tackett, Teresa TTackett@co.delaware.oh.us

Subject: RE: Court Visit

We could do 3:30 or 4pm if that is better. Pick one and it will be so.

From: "Tackett, Teresa" <TTackett@co.delaware.oh.us>
Date: 2/10/23 9:47 AM (GMT-05:00)
To: "Nickolas K. McCoy - McCoy Law LLC"
nkm@mccoylelawllc.com

Subject: RE: Court Visit

4:00 p.m. is fine. Thanks.

From: Nickolas K. McCoy- McCoy Law LLC
<nkm@mccoylelawllc.com>
Sent: Friday, February 10, 2023 10:28 AM
To: Tackett, Teresa

Subject: RE: Court Visit

From: Nickolas K. McCoy- McCoy Law LLC
<nkm@mccoylelawllc.com>
Sent: Friday, February 10, 2023 10:28 AM
To: Tackett, Teresa

Subject:
RE: Court Visit

In my calendar. Thank you.

Nickolas K. McCoy
Attorney at Law
McCoy Law LLC

47. Those emails occurred shortly before the February 27th probate hearing. Knowing that, when one listens to the audio of that probate hearing, the scripted kabuki theater and fraudulent testimony can be spotted.

48. However, the ODC ignored this evidence.

The Decision Ignored the Complaints about Stratman

49. On page 3 of the Decision, it regurgitates a report of a “Special Master” assigned by the Delaware County Probate Court judge before he recused himself. There is no mention of

the evidence that Stratman was in cahoots with McCoy.

50. Instead, the Decision simply reiterated that flawed opinion issued by Stratman.

51. The Decision claimed that it agreed that there was no conflict of interest between McCoy and the “Special Master” despite Stratman being a tenant of McCoy’s in a small house-office.

52. Clearly, Stratman was chosen to be the Special Master because of some closed-door scheming between McCoy and the recused judge. Stratman barely has a legal practice at all and has no experience whatsoever as a court investigator of any kind.

The Decision Ignored Crucial Audio of Martha Greer

53. On page 3 of the Decision, it states that the ODC listened to the February 27, 2023 Delaware County Probate Court hearing audio and concluded that Martha Greer was in complete control over the court proceedings and understood why McCoy was hired.

54. The Decision states, “Finally, Mr. McCoy testified at the February 27, 2023 hearing. We listened to his testimony and heard nothing that we believed to be improper or indicative of incompetence.”

55. However, this conclusory opinion ignored irrefutable audio recordings of Martha Greer telling Appellant that she had no idea what the court matters were about, why McCoy was hired, and that she wanted Appellant back in the family (**EX. 7**).

56. Those ignored audio recordings were raised at the probate hearing in February. Martha Greer acknowledged under oath that they are legitimate recordings of her. However, she then gave what was clearly a coerced “hostage tape” statements that she was disappointed with her son, Appellant, as McCoy stood next to her in court.

57. That comment by Martha is in stark contrast to her comments weeks before, on

February 13, 2023 when Martha Greer called Appellant for his birthday (EX. 7).

ODC Investigators Bungled the Interview of Martha Greer

58. On page 4 of the Decision, it states:

“As part of our investigation, **our investigator also met privately with your mother** on May 16, 2022. Your mother informed our office that when your father's condition began to deteriorate, she knew that she would need an attorney to represent her with respect to guardianship proceedings. She stated that Mr. McCoy was recommended to her, but could not recall who recommended him. Regardless, she stated that she retained Mr. McCoy's services and that he has been very helpful throughout the process. Your mother also denied being "kidnapped" by Susan and Mike and stated that she voluntarily went with them to Washington, D.C. to get away from the stress of caring for your father.”

59. The statement, “Your mother informed our office that when your father's condition began to deteriorate, she knew that she would need an attorney to represent her with respect to guardianship proceedings. She stated that Mr. McCoy was recommended to her, but could not recall who recommended him.” is prima facie evidence that Martha Greer did not hire McCoy as “her” lawyer.

60. It makes no sense as to why the health of Tom Greer would matter to the decision to hire a lawyer. Martha Greer was the spouse and co-trustee when lawyer McCoy was hired in 2022. She has been removed from the Delaware home by Bad Actors six-months previously. Appellant was forced to relocate from Texas to care for Tom Greer and demanded many times that Martha return to care for Tom. There was no need for Martha to go to probate court to gain guardianship. Appellant was not standing in the way. Appellant had no financial schemes to take over the Greer Family Trust, in contrast to the Bad Actors.

61. In fact, Martha told Appellant on the February calls (EX. 7) that she thought Appellant had been the one to initiate probate proceedings, proving Martha had no comprehension

of the probate matter. Therefore, she could not have possibly have been the one to actually hire McCoy.

62. In fact, The Harrelds benefited from the guardianship status because it allowed them to nullify the powers of attorney that Appellant had over Tom Greer.

63. Using Martha Greer as a pawn, they used her signatures to then transfer hundreds of thousands of dollars to their own PNC Bank accounts in Washington, DC.

64. By Appellant losing his power of attorney during the probate hearing, the bad actors were able to place Tom Greer, against his will, into the Avalon nursing home and prevent Appellant from seeing his father. The Bad Actors colluded with The Avalon to issue a no-trespass order against Appellant.³

65. The ODC was made aware of all of these facts and chose to ignore them in the Decision.

The Decision Ignored Evidence of McCoy Fleecing His Client

66. On page 4 of the Decision, it clears McCoy of wrongdoing regarding allegations that he is fleecing his client, Martha Greer.

“As to Point Six, you have provided no support for this allegation, and we have not reviewed anything that leads us to believe that Mr. McCoy is fleecing your parents' trust. Although we have not seen them, we have no doubt that Mr. McCoy's attorney fee bills are substantial considering the various allegations you have made regarding your father's guardianship and Mr. McCoy's representation of your mother.”

67. However, that Paragraph is just a conclusory statement that ignores logic and facts.

68. It ignores the logical argument that McCoy should have never have been hired to

³ There was never any attempt to obtain a court restraining order against Appellant because there was no legal basis for such an attempt. Instead, McCoy manipulated the system and used the common law that allows a private entity, such as the Avalon, to issue a no-trespass willy-nilly.

initiate any court matters. Martha Greer has not benefitted at all. Only the Bad Actors manipulating her have gained from the probate court decisions.

69. It ignores all of the other spending aside from the attorney fees. The hundreds of thousands of dollars stolen from the Greer Family Trust and transferred in DC accounts are part of the McCoy wrongdoing. This ODC cannot silo those and ignore them.

70. In the next paragraph, it creates a circular argument with *non sequitur*.

“Finally, in your July 19, 2023 email, you accuse Mr. McCoy of misappropriating money. Specifically, you claim that probate courts are required to do an "annual audit of the money" and that "it would seem that the Delaware County Probate Court is past due on that.. .." The court's docket, however, indicates that an accounting was filed on June 29, 2023 and that a hearing on the accounting has been set for August 17, 2023. We have reviewed that accounting, and we do not see anything that leads us to believe that your mother, as guardian, or Mr. McCoy, as your mother's attorney, are misappropriating or improperly handling guardianship funds. However, should the court determine at the August 17, 2023 hearing that guardianship funds have not been handled appropriately, you may file another grievance with our office. Please include, however, a copy of the court order indicating that misappropriation or mishandling of guardianship funds has occurred. Please note that the court's August 17, 2023 hearing will be limited to guardianship funds. If you are concerned about funds in your parents' trust, you should consult counsel about how best to address your concerns.”

71. The Decision acknowledges that the Delaware County Probate Court has refused to address the obvious financial fraud taking place with the Greer Family Trust, but then it also ignores those crimes by delegating the matter to the same Delaware court that is refusing to investigate.

72. This ODC is part of the esteemed Supreme Court of Ohio. The visiting judge assigned to the probate case is accountable to this Supreme Court. The buck stops here. The ODC is not allowed to shirk responsibility by kicking the can to other courts.

ODC Investigators Ignored Clear Evidence of a Coverup

73. Appellant also sent emails to the ODC alerting them that the nursing home where Martha and Tom Greer live was obstructing efforts by various healthcare providers to inspect Tom Greer.

74. In April of 2023, after Appellant learned his father had developed a bed sore when the nursing home illegally sedated him, he had the best wound care surgeon in the country, Christopher Attinger, call the nursing home to speak to nurses. Over several days, he was obstructed from speaking to any nurse or doctor. That is a red flag and clear sign of a cover-up.

75. Appellant then had an Ohio State University Medical Center visiting nurse service try to see Tom. They were stopped by the front desk.

76. In July, a local attorney aware of the ordeal tried to visit Tom. Martha greeted her in the nursing home but would not let the lawyer see Tom.

77. None of this is normal behavior. It all indicates that the wellbeing of Tom Greer is not the priority.

78. The ODC should have also seen these as red flags. Instead, they ignored the incidents.

CONCLUSION

79. Joseph M. Caligiuri of Office of Disciplinary Counsel (“ODC”) for the Supreme Court of Ohio has never wanted to investigate lawyer Nickolas McCoy. He used excuses to close investigations.

80. When Appellant finally forced his hand, a final investigation was conducted, but it was a sham. A whitewash report was always the planned result.

81. Tangible evidence of crimes were presented to the ODC. These crimes implicated

lawyer McCoy in conspiracies. Specifically, Exhibits 2-11 and the Anthea check were ignored by the ODC in the Decision (EX. 1)

82. Acting with hubris, the ODC made little effort to cover their tracks. The staff at the ODC know that the policy of this Court has been to not allow for appeals of ODC decisions.

83. However, there is nothing in Ohio law that makes this so. Even the court rules can be construed to allow the ODC be appealed.

84. A man's life is at stake here. Thomas Greer has been greatly harmed by Bad Actors for more than a year. Their conspiracy to pilfer the Greer Family Trust was orchestrated by lawyer McCoy.

85. McCoy is skilled at manipulating the courts and law enforcement. He used lies and deception to prevent Appellant from saving his parents. McCoy should be disbarred and criminally prosecuted.

86. The ODC shirked their duties. This should not be allowed.

Dated: New York, New York
August 14, 2023

By: /s/ Steven E. Greer

Steven E. Greer
Steve@GreerJournal.com
(212) 945-7252

Exhibit 4

Exhibit XXXX

February 13, 2023 Calls from Martha Greer to Steven Greer

Call 1 Part 1

<https://youtu.be/ckzLIINgJ18>

Martha Greer called Plaintiff at 7:12 AM to wish me a happy birthday. She was in a rehab facility and none of the defendants were there to monitor her. It was an hour-long free call. It was the first time Plaintiff had heard from Martha since she called him on July 16, 2022 asking him to help her get free from Mike Harreld who was staying in her Delaware home.

Call 1 Part 4

https://youtu.be/SFX_mT5gPyY

In this portion of the first call, Martha admits that Plaintiff never stalked her. This destroys Defendants' entire defense for why they abducted and monitored Martha, round the clock, ever since January 24, 2022. Every police report has concluded that Martha was rationally telling them that she did not want Plaintiff around because of this "stalking" pretext that she was coerced to regurgitate.

Call 1 Part 5

<https://youtu.be/5fiL-AU5hGE>

Martha Greer saying she loves Plaintiff and agreeing to call the Avalon to transfer Tom Greer to The Ohio State University Medical center ("OSUMC").

Call 2

<https://youtu.be/Yt3psZ7GAYY>

Martha called Plaintiff back an hour later to tell him that she called The Avalon to get the process started of transferring Tom Greer to the OSUMC.

Call 3

<https://youtu.be/qIlnXQa6gls>

Two hours after the second call, Martha told Plaintiff that Susan Harreld was upset with the decision to transfer Tom to OSUMC. Therefore, Martha reversed her decision.

In this call, Martha admits that she still does not understand the probate court actions that she supposedly initiated. She was unaware that she was the one asking for guardianship.

Martha is unaware that Defendants have blocked her iPhone from receiving calls from plaintiff. Plaintiff purchased the iPhone for Martha.

Martha does not comprehend the meaning of hospice and the severity of that classification placed upon a person.

Martha admits that she is withholding stroke care, etc. from Tom Greer. People have convinced her that it is best to let Tom die.

Exhibit 5

From: Benjamin Albrecht <balbrecht@fisheldowney.com>

Sent: Wednesday, February 22, 2023 3:29 PM

To: steve@greerjournal.com

Cc: gjones@newalbanypolice.org; Kris Daniels <kdaniels@newalbanypolice.org>

Subject: Trespass Warning with Avalon

In follow-up to your emails regarding the status of your trespass warning, the NAPD spoke with Avalon's Executive Director, Sandra Glorioso, today. Avalon's Executive Director advised the NAPD that it wished for the trespass warning to remain. The Executive Director advised the NAPD that all necessary contact information to dispute the trespass warning with Avalon has been provided to you. Finally, the NAPD was advised that visitation with your father could be arranged by Mrs. Glorioso, the Executive Director, upon the request of your mother.

Ben

Benjamin S. Albrecht
Fishel Downey Albrecht & Riepenhoff LLP
7775 Walton Parkway
Suite 200
New Albany, Ohio 43054
(614) 221-1216 Telephone
(614) 221-8769 Facsimile
(614) 453-7302 Direct

Exhibit 2

Delaware County Probate/Juvenile Court

David A. Hejmanowski, Judge

Steven Greer, M.D.
Steve@GreerJournal.com

September 28, 2023

RE: Thomas Greer
Case No: 22040573 PGU

Dear Dr. Greer:

The Court has received your written communication dated September 1, 2023. Per a Judgment Entry issued on April 20, 2023, Judge Michael indicated "unless new evidence surrounding the previously raised concerns is forthcoming no resources of the Court will be assigned to them except to acknowledge the receipt of the correspondence." As this recent filing contains no new concerns, this filing requires no further action at this time.

Sincerely,

Teresa K. Tackett, LSW

Teresa K. Tackett, LSW
Court Visitor Program Director/Court Investigator

Pc:
Case File

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DELAWARE COUNTY
PROBATE COURT
DELAWARE, OHIO
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