

**IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO**

CLERK OF COURTS
MAHONING COUNTY, OH

2009 MAR 26 P 2:01

ANTHONY VIVO, CLERK

**PAUL J. GAINS, Mahoning County
Prosecutor, et al**

Plaintiffs

vs.

JOSEPH PLANEY

Defendant

CASE NO. 08 CV 2377

JUDGMENT ENTRY

**JUDGE GEORGE
Sitting by Assignment**

This Judgment Entry memorializes a ruling finding Defendant, Joseph Planey, to have vexatiously conducted himself in filings and pleadings before various courts and adjudicating him to be a vexatious litigator through the granting of summary judgment to Plaintiff Paul J. Gains, Prosecuting Attorney for Mahoning County and Co-Plaintiffs Interveners Fidelity Brokerage Services, LLC, Patrick D. Hendershott, Esq., Individually and CitiFinancial, Inc. (See *Rulings on Motions* filed this same date.)

This Court now declares Defendant, Joseph Planey, to be a vexatious litigator as defined in R.C. §2323.52 (A) (3).

As a vexatious litigator, Joseph Planey is prohibited from doing any of the following without first obtaining leave of this court to proceed:

- Instituting legal proceedings in the court of claims or in a court of common pleas, municipal court or county court;
- Continuing any legal proceedings Joseph Planey has instituted in any of the courts noted above prior to entry of this judgment entry;
- Making any application, other than an application for leave to proceed in any legal proceeding instituted by Joseph Planey or another person in any of the courts noted above.

This Judgment Entry shall expire in ten (10) years from the date of this entry unless otherwise ordered by the Court.

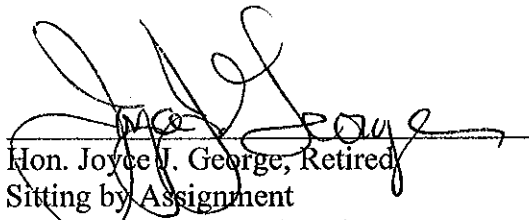
This Court, having entered this Judgment Entry, will only grant Joseph Planey leave if it is satisfied that the proceedings or application are not an abuse of process of the court in question and that there are reasonable grounds for the proceedings or application.

Applications for purposes of appeal are to be directed to the appropriate appellate court as required under R.C. §2323.52 (D) and (F) (2) and (3).

The Clerk of Court shall send a certified copy of this Judgment Entry to the Supreme Court for publication so as to facilitate the courts in refusing to accept pleadings or other papers submitted by Joseph Planey without first obtaining leave to proceed. R.C. §2323.52 (H).

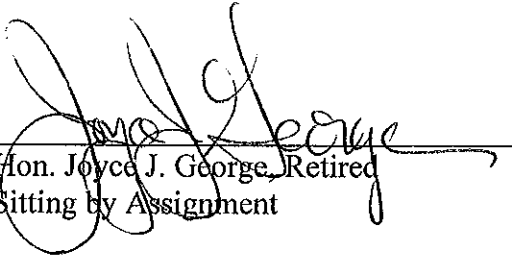
Costs of this action are to be assessed against Defendant, Joseph Planey.

IT IS SO ORDERED.


Hon. Joyce J. George, Retired
Sitting by Assignment
Pursuant to Art. IV, Sec. 6
Ohio Constitution

NOTICE TO THE CLERK OF COURTS

Pursuant to Civ. R. 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.


Hon. Joyce J. George, Retired
Sitting by Assignment

Gina DeGenova Bricker, Asst. Prosecuting Attorney
Robert N. Rapp, Esq., for Fidelity Brokerage Services, LLC
Patrick D. Hendershott, Esq., Individually and for
CitiFinancial, Inc.
Charles E. Dunlap, Esq., Individually
Suzanne Planey, pro se
Joseph Planey, pro se

3/26, 2009
This is a true copy of the original JE
Filed in Case No. 08CV 2377
By A. Vivo, Clerk of Courts
Deputy _____