

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
LUCAS COUNTY

Raymond Todd Lininger

Court of Appeals No. L-19-1199

Relator

v.

Hon. Judge Ian B. English

DECISION AND JUDGMENT

Respondent

Decided: September 24, 2019

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Raymond Todd Lininger, pro se.

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MAYLE, P.J.

{¶ 1} This case is before the court upon a complaint for a writ of procedendo, filed on September 10, 2019, by petitioner, Raymond Lininger, against respondent, Judge Ian English of the Lucas County Court of Common Pleas. Lininger, an inmate at the Warren Correctional Institution, claims that he filed a motion to correct a void sentence on

November 8, 2018, and that Judge English has failed to rule on the motion. He asks us to order Judge English to issue a ruling on the motion.

{¶ 2} With his complaint, Lininger filed an affidavit of indigency asking us to waive the required filing fee. Under 6th Dist.Loc.App.R. 7(A) and R.C. 2969.25(C), when the party bringing the action is incarcerated and seeks to have prepayment of the filing fees waived, he must provide a certificate from the institution at which he is incarcerated stating the amount of funds he has on deposit available to secure costs and a statement describing any other items of value that he owns. Lininger did not do this.

{¶ 3} Because Lininger failed to comply with 6th Dist.Loc.App.R. 7(A) and R.C. 2969.25(C), we dismiss his complaint and order that he pay the costs of this action. The clerk is directed to serve upon the parties, within three days, a copy of this decision in a manner prescribed by Civ.R. 5(B).

{¶ 4} It is so ordered.

Writ denied.

Arlene Singer, J.

JUDGE

Thomas J. Osowik, J.

JUDGE

Christine E. Mayle, P.J.
CONCUR.

JUDGE

<p>This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at: http://www.supremecourt.ohio.gov/ROD/docs/.</p>
