

MALCOLM-SMITH ET AL., APPELLEES, v. GOFF, SUPT., ET AL., APPELLANTS.

[Cite as *Malcolm-Smith v. Goff*, 2000-Ohio-90.]

Court of appeals' judgment reversed by reason of res judicata.

(No. 99-2287—Submitted October 10, 2000—Decided December 13, 2000.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 74648.

Uche Mgbaraho, Sara J. Harper, Roy Kaufman and Stanley Tolliver, for appellees.

Betty D. Montgomery, Attorney General, *Roger F. Carroll* and *James G. Tassie*, Assistant Attorneys General, and *Stephen P. Carney*, Associate Solicitor, for appellants John M. Goff and state of Ohio.

Squire, Sanders & Dempsey, L.L.P., *Frederick R. Nance* and *Steven A. Friedman*; and *Cornell P. Carter*, Director of Law, for appellant Michael R. White.

Lisa Marie Ruda, Chief Legal Counsel, urging reversal for *amicus curiae*, Cleveland Municipal School District.

{¶ 1} The judgment of the court of appeals is reversed by reason of *res judicata*. *Stromberg v. Bratenahl Bd. of Edn.* (1980), 64 Ohio St.2d 98, 18 O.O.3d 343, 413 N.E.2d 1184. See, also, *Richards v. Jefferson Cty., Alabama* (1996), 517 U.S. 793, 803, 116 S.Ct. 1761, 1768, 135 L.Ed.2d 76, 87.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.
