



whom the motion for summary judgment is made,  
that party being entitled to have the  
evidence or stipulation construed most  
strongly in the party's favor. \*\*\*

See, also, *Williams v. First United Church of Christ* (1974), 37  
Ohio St.2d 150; *Temple v. Wean United, Inc.* (1977), 50 Ohio St.2d  
317.

Plaintiff alleges that defendants were "negligent in not  
protecting or complying with the Ohio Revised Code, The  
Constitution of the State of Ohio, as well as The Constitution of  
the United State (*sic*) of America by passing and signing into law  
section (5) of senate bill 269 amending senate bill II \*\*\*."  
Defendants argue that this court is without subject matter  
jurisdiction over plaintiff's constitutional claims and that they  
are immune from liability under the doctrine of discretionary  
immunity.

Upon review, this court finds that it is without  
jurisdiction to determine federal or state constitutional claims.  
*Graham v. Bd. of Bar Examiners* (1994), 98 Ohio App.3d 620.  
Additionally, the state cannot be sued for its legislative or  
judicial functions or the exercise of a high degree of official  
judgment or discretion. *Reynolds v. State* (1984), 14 Ohio St.3d  
68.

For the foregoing reasons, defendants' motion for summary  
judgment is GRANTED and judgment is rendered in favor of  
defendants. Court costs are assessed against plaintiff. The  
clerk shall serve upon all parties notice of this judgment and  
its date of entry upon the journal.

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Case No. 2000-10014

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ENTRY

JUDGE

Entry cc:

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Pro se

[Cite as *Robarge v. Supreme Court of Ohio*, 2001-Ohio-6987.]

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