

[Cite as *Alt v. Cuyahoga Cty. Probation Dept.*, 2017-Ohio-5768.]

SUSAN ALT	Case No. 2017-00175-PQ
Requester	Judge Patrick M. McGrath
v.	<u>ENTRY ADOPTING</u>
CUYAHOGA COUNTY	<u>RECOMMENDATION OF</u>
PROBATION DEPARTMENT	<u>SPECIAL MASTER</u>
Respondent	

---

{¶1} On May 16, 2017, Special Master Jeffery W. Clark issued a report and recommendation concerning a complaint filed pursuant to R.C. 2743.75 by requester Susan Alt against the Cuyahoga County Probation Department wherein Alt alleges a denial of access to public records. In his report and recommendation, the special master recommends that this court issue an order that grants the motion to dismiss filed by the Cuyahoga County Probation Department, on several grounds. The special master finds that Alt fails to demonstrate by clear and convincing evidence that she or her surrogate delivered a public records request to the Probation Department. The special master further finds that Alt’s dispute regarding any records requested from court cases commenced after July 1, 2009 is not subject to enforcement under R.C. 149.43(C) and R.C. 2743.75. Finally, the special master finds that Alt’s request for “a complete audit/breakdown of funds collected by the convictions of this the [sic] Task Force” is an improper request to create a new record, rather than a request for specific existing records. Special Master Clark recommends that the complaint be DISMISSED for failure to state a claim for which relief may be granted under R.C. 149.43(C) and R.C. 2743.75.

{¶2} R.C. 2743.75(F)(2) states, in part: “Either party may object to the report and recommendation within seven business days after receiving the report and recommendation by filing a written objection with the clerk \* \* \*.” No objections were filed.

{¶3} The court determines that there is no error of law or other defect evident on the face of the special master's decision. Therefore, the court adopts the special master's report and recommendation as its own, including findings of fact and conclusions of law contained therein.

{¶4} Judgment is rendered in favor of respondent. Court costs are assessed against requester. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

---

PATRICK M. McGRATH  
Judge

Susan Alt  
47 Parkwood Drive  
Shelby, Ohio 44875

Nora E. Graham  
1200 Ontario Street, 8th Floor  
Cleveland, Ohio 44113