

[Cite as *White v. Chambers*, 2002-Ohio-2733.]

**COURT OF APPEALS
THIRD APPELLATE DISTRICT
ALLEN COUNTY**

MICHAEL TURNER WHITE

CASE NUMBER 1-01-114

PLAINTIFF-APPELLANT

v.

OPINION

AMY CHAMBERS

DEFENDANT-APPELLEE

MICHAEL TURNER WHITE

CASE NUMBER 1-01-115

PLAINTIFF-APPELLANT

v.

OPINION

CINDY MCCLURE

DEFENDANT-APPELLEE

MICHAEL TURNER WHITE

CASE NUMBER 1-01-116

PLAINTIFF-APPELLANT

v.

OPINION

WINTERS MACK

DEFENDANT-APPELLEE

CHARACTER OF PROCEEDINGS: Civil Appeals from Municipal Court.

JUDGMENTS: Judgments affirmed.

DATE OF JUDGMENT ENTRIES: May 29, 2002.

ATTORNEYS:

MICHAEL TURNER WHITE
In Propria Persona
Inmate #A178-966
P.O. Box 4571
Lima, OH 45802
Appellant.

BETTY D. MONTGOMERY
Attorney General
Correctional Litigation Section
140 East Town Street
Columbus, OH 43215
For Appellees.

SHAW, J.

{¶1} These are consolidated appeals from judgments of the Lima Municipal Court which dismissed Plaintiff-appellant, Michael Turner White's (White) 42 U.S. 1983 civil rights action for lack of subject matter jurisdiction.

{¶2} On April 24, 2001, White filed three complaints against the Defendant-appellees, the Assistant Chief Inspector of the Ohio Department of Rehabilitation and Correction and the Institutional Inspector of the Lima Correctional Institution, in Lima Municipal Court. In his complaint, White asserted that the appellees violated his civil rights under 42 U.S. §1983 by

retaliating against him for filing a grievance against a corrections officer. White requested monetary damages, a declaratory judgment and an injunction prohibiting future similar actions by the Lima Correctional Institution. On June 6, 2001, upon appellee's motion, the municipal court dismissed White's complaints based on its lack of jurisdiction to entertain §1983 cases. Subsequently, White filed various motions requesting the trial court to vacate its judgment. On June 21, 2001, the municipal court affirmed its previous decision to dismiss the case.

{¶3} White now appeals asserting fourteen assignments of error which challenge the Municipal Court's dismissal of his claims for lack of subject matter jurisdiction.

{¶4} It is well established in Ohio that a municipal court is a court of limited and specific jurisdiction and may not entertain actions outside of its enumerated powers. *State ex rel. Foreman v. Bellefontaine Municipal Court* (1967), 12 Ohio St.2d 26; *Bowman v. Klingler* (Nov. 17, 2000), Logan App. No. 8-2000-16. A municipal court's powers are enumerated in R.C. 1901.18. While R.C. 1901.18 lists twelve circumstances in which a municipal court has original jurisdiction, the statute does not give a municipal court the authority to hear §1983 claims. Furthermore, a municipal court does not have the power under R.C. 1901.18 to render declaratory judgment or equitable relief in cases other than those specifically enumerated. *Foreman*, supra (concerning declaratory judgments); *Bowman*, supra (concerning injunctions). As White asserted a §1983 claim and requested declaratory and injunctive relief, the municipal court

correctly dismissed White's §1983 action for lack of subject matter jurisdiction.

See also *Cleveland v. A.J. Rose Mfg. Co.* (1993), 89 Ohio App.3d 267 (finding there is no authority for maintaining a §1983 action in municipal court).

Consequently, White's fourteen assignments of error are overruled.

{¶5} For the aforementioned reasons, it is the order of this Court that the judgments of the Lima Municipal Court are affirmed.

Judgments affirmed.

BRYANT and HADLEY, JJ., concur.