

court and that there are reasonable grounds for the proceedings or application.” R.C. 2323.52(F)(2).

{¶3} Bristow seeks leave to file a mandamus petition to compel his aunt, Darlene K. Windsor, to pay him damages for an alleged slander and for a freeze on all of his aunt’s monies and property. Mandamus actions are governed by Ohio Revised Code Chapter 2731. A mandamus is a writ to enforce performance of a specific act by a *public official or agency* and will only be issued where there is a clear legal duty to act. See R.C. 2731.01 (defining mandamus). “Mandamus will not lie to enforce a private right against a private person.” *State ex rel. Longacre v. Penton Publishing Co.* 77 Ohio St.3d 266, 1997-Ohio-276, 673 N.E.2d 1297 (1997) quoting *State ex rel. Russell v. Duncan*, 64 Ohio St.3d 538, 597 N.E.2d 142 (1992).

{¶4} Bristow’s mandamus petition seeks to enforce a private right against a private person. Thus, we **DENY** Bristow’s motion for leave to file a mandamus petition because it is an abuse of process of the court and there are no reasonable grounds for proceeding and **DISMISS** the petition.

{¶5} **MOTION DENIED. PETITION DISMISSED. COSTS TO RELATOR. IT IS SO ORDERED.**

Abele, J. and McFarland, J.: Concur.

FOR THE COURT

William H. Harsha
Administrative Judge