

IN THE COURT OF APPEALS OF OHIO  
SIXTH APPELLATE DISTRICT  
LUCAS COUNTY

State of Ohio, ex rel. Ronald Bloodworth

Court of Appeals No. L-11-1296

Relator

v.

Kevin Smith, etc., et al.

**DECISION AND JUDGMENT**

Respondents

Decided: February 22, 2012

\* \* \* \* \*

Ronald Bloodworth, pro se.

\* \* \* \* \*

**PIETRYKOWSKI, J.**

{¶ 1} This matter is before the court on the application of Ronald Bloodworth, for leave to file an original action in mandamus in this court. Bloodworth has been determined to be a vexatious litigator. Accordingly, he must seek and be granted leave by this court to file any action in this court.

{¶ 2} In his motion, Bloodworth states that he wishes to file a petition for a writ of mandamus against various prison staff members. Through that writ, Bloodworth seeks an order from this court requiring those staff members to follow the policies and procedures of the Department of Rehabilitation and Correction (“DRC”) in the conduct of inmate disciplinary proceedings.

{¶ 3} R.C. 2323.52(F)(2) provides that a court of appeals shall not grant a vexatious litigator's motion for leave to file an action "unless the court of appeals is satisfied that the proceedings or application are not an abuse of process of the court and that there are reasonable grounds for the proceedings or application."

{¶ 4} Upon due consideration, we are not satisfied that the mandamus action that Bloodworth seeks to file is not an abuse of process. In the R.C. 2969.25(A) affidavit that Bloodworth was required to file along with his mandamus action, he lists nearly 50 complaints that he has filed against the DRC since 2007. In addition, we are not convinced that there are reasonable grounds for the action. In the mandamus action which Bloodworth seeks to file, he lists nine instances in which he was allegedly disciplined for rules infractions and in which he claims respondents failed to follow the proper procedures. In none of the instances listed does Bloodworth state that he appealed his rules infractions disciplinary action all the way to the director of the DRC. The administrative rules governing inmate discipline clearly provide for that avenue of appeal.

{¶ 5} Accordingly, Bloodworth's application for leave to proceed is denied.

Application denied.

Mark L. Pietrykowski, J.

\_\_\_\_\_  
JUDGE

Thomas J. Osowik, J.

\_\_\_\_\_  
JUDGE

Stephen A. Yarbrough, J.  
CONCUR.

\_\_\_\_\_  
JUDGE