

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

Rene Mays, Individually and as
Fiduciary of the Estate of
Galon Howard, Deceased, et al.

Court of Appeals No. L-13-1260

Trial Court No. CI0201204049

Appellant

v.

Toledo Hospital, et al.

DECISION AND JUDGMENT

Appellees

Decided: June 13, 2014

* * * * *

Rene Mays, pro se.

Kristen A. Connelly and Elizabeth E. Baer, for appellee Toledo Hospital.

Peter N. Lavalette, for appellee Mercy St. Anne Hospital.

* * * * *

PIETRYKOWSKI, J.

{¶ 1} This accelerated appeal is before the court following the October 18, 2013 judgment of the Lucas County Court of Common Pleas which denied appellant, Rene Mays, individually, and on behalf of the estate of Galon Howard's motion for relief from judgment pursuant to Civ.R. 60(B).

{¶ 2} Appellant's assignment of error provides:

The trial court abused its discretion in denying inter alia Appellant's Rule 60(B) motions to vacate judgment entries of October 18, 2013, and October 22, 2013, under the facts and circumstances of this case.

{¶ 3} In a related appeal recently decided in this court, we affirmed the trial court's dismissal of appellant's claims. *See Mays v. Toledo Hosp.*, 6th Dist. Lucas No. L-13-1233, 2014-Ohio-1991. Based upon our decision in that appeal and rejecting appellant's arguments relating to the multiple post-dismissal motions filed in this action, we affirm the October 18, 2013 judgment of the trial court. Accordingly, appellant's assignment of error is not well-taken.

{¶ 4} On consideration whereof, we find that appellant was not prevented or prejudiced from having a fair proceeding and the judgment of the Lucas County Court of Common Pleas is affirmed. Pursuant to App.R. 24, appellant is ordered to pay the costs of this appeal.

Judgment affirmed.

A certified copy of this entry shall constitute the mandate pursuant to App.R. 27. *See also* 6th Dist.Loc.App.R. 4.

Mark L. Pietrykowski, J.

JUDGE

Thomas J. Osowik, J.

JUDGE

Stephen A. Yarbrough, P.J.
CONCUR.

JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at:
<http://www.sconet.state.oh.us/rod/newpdf/?source=6>.