

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO

TAMARA DESUZE

Plaintiff,

vs.

ABBOTT NUTRITION

Defendant.

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CASE NO. 25CV010442

JUDGE CARL AVENI

**DECISION AND ENTRY GRANTING DEFENDANT ABBOTT NUTRITION'S
MOTION TO DISMISS AND MOTION TO DECLARE PLAINTIFF A VEXATIOUS
LITIGATOR FILED JANUARY 5, 2026**

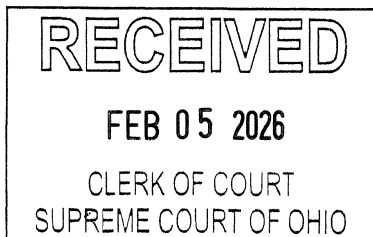
I. Procedural History

This matter is before the Court on Defendant Abbott Nutrition's Motion to Dismiss Plaintiff's Complaint pursuant to Civ.R. 12(B)(6) and Motion to Declare Plaintiff a Vexatious Litigator under R.C. 2323.52, filed January 5, 2026. The Motion is unopposed.

Plaintiff Tamara DeSuze commenced this action on December 5, 2025. The Complaint consists of a single handwritten page. It alleges that Plaintiff is an heir to Queen Elizabeth II and the sister of King Charles III, asserts that Plaintiff was passed a company by Queen Elizabeth II, and demands "20% of the taxes for five years." The Complaint does not identify any cause of action, does not allege any conduct by Defendant Abbott Nutrition, and does not set forth any facts connecting Defendant to the relief requested.

Defendant moved to dismiss Plaintiff's Complaint and further requested that Plaintiff be declared a vexatious litigator. In support, Defendant submitted materials demonstrating that Plaintiff filed multiple nearly identical lawsuits on the same date against different defendants in this Court, each asserting the same factual allegations and requesting the same relief.

Plaintiff has not filed a memorandum in opposition. The Motion is ripe for decision.



II. Plaintiff's Complaint Is Properly Dismissed Under Civ.R. 12(B)(6)

To survive a motion to dismiss under Civ.R. 12(B)(6), a complaint must allege sufficient operative facts to state a claim for relief that is plausible on its face. Although Ohio is a notice-pleading state, a complaint must still allege sufficient factual matter to show that the plaintiff is entitled to relief under a cognizable legal theory. Civ.R. 8(A) requires more than bare legal conclusions or unsupported assertions; the complaint must contain factual allegations that, if proven, would entitle the plaintiff to relief. See *Maternal Grandmother, ADMR v. Hamilton Cty. Dept. of Job & Family Servs.*, 167 Ohio St.3d 390, 2021-Ohio-4096, ¶ 29 (holding that notice pleading requires factual allegations which, if proved, would entitle the plaintiff to relief).

Accordingly, when reviewing a motion to dismiss under Civ.R. 12(B)(6), a court examines whether the facts alleged in the complaint, taken as true, state a claim upon which relief may be granted under applicable law. *Ford v. Brooks*, 2012-Ohio-943, ¶ 5 (10th Dist.) (explaining that dismissal is appropriate where the facts alleged would not entitle the plaintiff to relief). Even under Ohio's liberal pleading rules, courts are not required to accept bare assertions of legal conclusions unsupported by factual allegations. *Francis v. Northeast Ohio Neighborhood Health Servs.*, 2021-Ohio-3928, ¶ 12 (8th Dist.) (recognizing that a cause of action must be factually supported to withstand dismissal).

Here, Plaintiff's Complaint fails as a matter of law. The Complaint does not identify any legal claim against Defendant, does not allege any act or omission by Defendant, and does not articulate any duty, breach, or injury attributable to Defendant Abbott Nutrition. The relief sought, *i.e.*, "20%

of the taxes for five years”, is not relief this Court has authority to award and bears no legal relationship to Defendant.¹

Even construing the Complaint liberally, the Court cannot discern any set of facts under which Plaintiff could recover against Defendant. Accordingly, Defendant’s Motion to Dismiss is well taken.

III. Plaintiff Has Engaged in Habitual and Persistent Vexatious Conduct

The Court now turns to Defendant’s Motion to declare Plaintiff a vexatious litigator. R.C. 2323.52 authorizes courts of common pleas to declare a person a vexatious litigator when that person has habitually, persistently, and without reasonable grounds engaged in vexatious conduct in civil actions, whether against the same party or against different parties. “Vexatious conduct” includes conduct that is not warranted under existing law and cannot be supported by a good-faith argument for an extension, modification, or reversal of existing law, as well as conduct that serves merely to harass or impose unnecessary burdens on the courts and opposing parties. R.C. 2323.52(A)(2)(a)–(c), (A)(3).

The record before the Court establishes that Plaintiff has engaged in such conduct. Plaintiff’s Complaint in this action is facially frivolous, asserts implausible factual allegations, identifies no cognizable cause of action, and seeks relief that this Court lacks authority to grant. Standing alone, the Complaint warrants dismissal.

The Court further finds, however, that Plaintiff’s conduct is not isolated. On December 5, 2025, the same date that Plaintiff filed this action, Plaintiff filed identical complaints asserting the same allegations and requesting the same relief in multiple actions in the Franklin County Court of

¹ U.S. Const. art. I, § 9, cl. 7 (“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.”). Courts lack authority to award or divert tax revenues to private parties absent a congressional appropriation.

Common Pleas. Those actions include *Tamara DeSuze v. Chase Headquarters*, Case No. 25 CV 010441, assigned to Judge Page; *Tamara DeSuze v. Columbus Metropolitan Housing Authority*, assigned to Judge Cocroft; *Tamara DeSuze v. Chalmers P. Wylie*, assigned to Judge Kim Brown; and *Tamara DeSuze v. Riverside Hospital*, assigned to Judge Lynch. Each complaint contains the same factual assertions and seeks the same relief, notwithstanding that the actions were filed against different defendants and assigned to different judges.

This pattern of repetitive filings demonstrates that Plaintiff has habitually and persistently, and without reasonable grounds, engaged in vexatious conduct within the meaning of R.C. 2323.52. The repeated filing of facially frivolous complaints imposes an unreasonable burden on our court system and on parties forced to respond to meritless litigation. The Court finds that such conduct is not warranted under existing law and cannot be supported by a good-faith argument for an extension, modification, or reversal of existing law, as contemplated by R.C. 2323.52(A)(2)(b).

The Court further finds that Plaintiff received notice of Defendant's Motion and was afforded an opportunity to respond but nevertheless failed to do so, satisfying the procedural requirements of R.C. 2323.52(C) and the demands of due process.

Accordingly, the Court finds that Plaintiff is a vexatious litigator as defined by R.C. 2323.52(A). The Court further finds that it is necessary and appropriate to impose the statutory restrictions set forth in R.C. 2323.52(D) to prevent further abuse of the judicial process. The Court emphasizes that this remedy does not bar Plaintiff from access to the courts but requires Plaintiff to obtain leave of court before instituting or continuing future actions, as expressly provided by statute.

IV. Decision

For the foregoing reasons:

1. Defendant Abbott Nutrition's Motion to Dismiss filed January 5, 2026 is **GRANTED**.

Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**.

2. Defendant Abbott Nutrition's Motion to Declare Plaintiff a Vexatious Litigator is

GRANTED and the Court **ORDERS** as follows:

- a. Accordingly Plaintiff Tamara DeSuze is declared to be a vexatious litigator under R.C. 2323.52;
- b. Pursuant to R.C. 2323.52(D), Plaintiff is prohibited from doing any of the following without first obtaining leave to proceed:²
 - i. Instituting legal proceedings in the court of claims or in a court of common pleas, municipal court, or county court without first obtaining the leave of this Court to proceed;
 - ii. Continuing any legal proceedings that Plaintiff had instituted in the court of claims or in a court of common pleas, municipal court, or county court without first obtaining the leave of this Court to proceed;
 - iii. Making any application, other than an application for leave to proceed in any legal proceeding instituted by Plaintiff or by another person in the court of claims or in any court of common pleas, municipal court, or county court without first obtaining the leave of this Court to proceed;
 - iv. Instituting legal proceedings in a court of appeals, continuing any legal proceedings that Plaintiff had instituted in a court of appeals prior to the entry of this order, or making any application, without first obtaining leave of the court of appeals to proceed;
 - v. Requesting public records from a public office or person responsible for public records without first receiving both leave to proceed and an accompanying order from this Court specifying with particularity what public records Plaintiff may request from the public office or person responsible for public records.
- c. Pursuant to R.C. 2323.52(E), the restrictions imposed by this Order shall remain in force indefinitely unless otherwise ordered by this Court.

² For purposes of R.C. 2323.52(F)(1), applications for leave shall be decided by the Franklin County Court of Common Pleas, acting through any of its duly assigned judges.

This is a final appealable order.

IT IS SO ORDERED.

Pursuant to R.C. 2323.52(H), the Franklin County Clerk of Courts is hereby ordered to send a certified copy of this order to the Ohio Supreme Court at the following address:

**Supreme Court of Ohio Clerk of Courts
65 S. Front St. 8th Floor
Columbus, OH 43215**

Copies to all counsel via electronic filing system.

Copy by ordinary mail to:

**TAMARA DESUZE
4745 LODGE LANE DR
COLUMBUS, OH 43229**

Franklin County Court of Common Pleas

Date: 01-28-2026
Case Title: TAMARA DESUZE -VS- ABBOTT NUTRITION
Case Number: 25CV010442
Type: DISMISSAL ORDER CASE

It Is So Ordered.



/s/ Judge Carl A. Aveni II

Electronically signed on 2026-01-28 16:18:13 page 7 of 7

THE STATE OF OHIO Franklin County, ss	} I, MARYELLEN O'SHAUGHNESSY, Clerk OF THE COURT OF COMMON PLEAS WITHIN AND FOR SAID COUNTY, HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS TRULY TAKEN AND COPIED FROM THE ORIGINAL.
DECISION 3 ENTRY	
NOW ON FILE IN MY OFFICE. WITNESS MY HAND AND SEAL OF SAID COUNTY THIS <u>2</u> DAY OF <u>FEB</u> A.D. 20 <u>26</u>	
MARYELLEN O'SHAUGHNESSY, Clerk By _____ Deputy	

Court Disposition

Case Number: 25CV010442

Case Style: TAMARA DESUZE -VS- ABBOTT NUTRITION

Case Terminated: 18 - Other Terminations

Motion Tie Off Information:

- 1. Motion CMS Document Id: 25CV0104422026-01-0599970000
Document Title: 01-05-2026-MOTION TO DISMISS -
DEFENDANT: ABBOTT NUTRITION
Disposition: MOTION GRANTED**

