

IN THE COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
BUTLER COUNTY, OHIO

FILED
MARY L. SWAIN
BUTLER COUNTY
CLERK OF COURTS
Final Appealable Order
09/14/2026 09:31 AM
DR 2014 08 0831

LAMIN SUWAREH
Plaintiff

Case No: DR 14080831

Date: September 11, 2026

-vs-

Judge Susan Laker Tolbert, By Assignment

CHINELO NWANKWO
Defendant

ENTRY GRANTING MOTION TO
DECLARE A PARTY A VEXATIOUS
LITIGANT

The matter came on for hearing on the *Motion to Declare a Party a Vexatious Litigant* pursuant to R.C. 2323.52 filed on July 31, 2026, by Plaintiff, and *Defendant/Mother's Supplemental Memorandum in Opposition to Plaintiff/Father's Vexatious-Litigant Request* filed August 10, 2026, and *Defendant/Mother's Motion to Dismiss Plaintiff's Procedurally Improper Motion to Declare Her a Vexatious Litigant and Memorandum in Opposition*.

Motion to Dismiss

Defendant/Mother argues that R.C. 2323.52 requires a separate civil action and that Plaintiff/Father's motion, filed in this domestic relations case, must therefore be dismissed. The procedural history of cases brought under R.C. 2323.52 does not support that argument. Although the statute permits a separate civil action, it does not require one.

Statutory Standard

Under R.C. 2323.52(A)(3), a person may be declared a vexatious litigator when the person's conduct in one or more civil actions:

- (1) obviously serves only to harass or maliciously injure another party to the civil action;
- (2) is not warranted under existing law and cannot be supported by a good faith argument for an extension, modification, or reversal of existing law; or
- (3) is imposed solely for delay.

Court's Analysis

Many of Plaintiff/Father's complaints concern difficulties commonly encountered by self-represented litigants, including identifying the proper motion, determining what may be filed, and selecting the appropriate court. Although Plaintiff/Father objects to the volume of Defendant/Mother's motions, notices, appeals, and other filings, he has also litigated extensively

in this case. One court entry identified sixty-two pending motions: fifty-one filed by Plaintiff/Father, ten by Defendant/Mother, and one by the Guardian Ad Litem. However, even if Plaintiff/Father has been more litigious, whether he qualifies as a vexatious litigator is not presently before the Court. Defendant/Mother cannot excuse her own conduct by alleging similar conduct by the opposing party. The Court must review the docket and filings to determine whether Defendant/Mother's conduct satisfies the statutory definition.

1. Filings Unwarranted by Existing Law

Defendant/Mother's filings are unwarranted under existing law and cannot be supported by a good-faith argument to extend, modify, or reverse it. She admitted filing multiple "Notices" to circumvent the evidentiary process and stated that she did so because the Court had not ruled on her pending motions quickly enough. Her repeated motions raising the same issue reflect the same impatience. This conduct disregards proper procedure and abuses the judicial process.

2. Repeated Requests for Resolved Relief

Defendant/Mother repeatedly sought the same relief after the issue had been resolved. For example, she filed three affidavits alleging bias and prejudice by the assigned judge; each was rejected, yet another motion seeking the same relief is filed again and is currently pending. This pattern reflects an unwillingness to accept an adverse ruling or the resolution of the matter and further abuses the judicial process.

3. Consequences of the Conduct

Defendant/Mother's conduct has tangible consequences. Plaintiff/Father must respond to each filing, incurring expenses that could otherwise support the minor children. The Court must also address an expanding number of pending motions, with no apparent end to the filings. This congests the court system and is a waste of judicial resources paid by the taxpayers of this county and state.

Conclusion

The Court therefore finds that Defendant/Mother, Chinelo C. Nwankwo, qualifies as a vexatious litigator under R.C. 2323.52. Because Plaintiff/Father submitted no evidence of attorney fees, his request for such fees is not well taken.

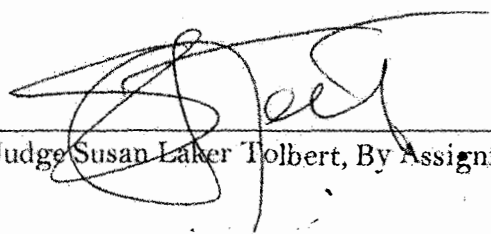
Defendant/Mother's Motion to Dismiss Plaintiff's Procedurally Improper Motion to Declare Her a Vexatious Litigant and Memorandum in Opposition is not well taken and is hereby denied.

The *Motion to Declare a Party a Vexatious Litigant* pursuant to R.C. 2323.52 filed on July 31, 2026, by Plaintiff/Father is well taken and is hereby granted.

I CERTIFY THE WITHIN TO BE A TRUE COPY OF THE
ORIGINAL FILED September 14, 2026

The Clerk of Butler County shall forward a certified copy of this finding pursuant to R.C.
2323.52(H).

IT IS SO ORDERED.



Judge Susan Laker Tolbert, By Assignment

Copies shall be provided to the parties and counsel of record and as further proscribed by law.