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KAREN INFANTE ALLEN  
Clerk of Courts

By

*ALM*

**IN THE COURT OF COMMON PLEAS  
- GENERAL DIVISION-  
TRUMBULL COUNTY, OHIO**

**FILED**  
COURT OF COMMON PLEAS  
SEP 10 2012  
TRUMBULL COUNTY, OH  
KAREN INFANTE ALLEN, CLERK

**CASE NUMBER: 2012 CV 01119**

**DENNIS WATKINS  
PLAINTIFF**

**VS.**

**JUDGE ANDREW D LOGAN**

**DON HALL  
DEFENDANT**

**JUDGMENT ENTRY**

This cause came to be heard on the following motions: Motion to Dismiss filed by the Defendant, Request for Leave filed by the Defendant, Motion for Summary Judgment filed by the Plaintiff, Motion to Strike filed by the Plaintiff, Motion for Summary Judgment filed by the Defendant. The Court has reviewed the motions, memoranda, pleadings, exhibits, and the relevant applicable law.

Watkins filed a complaint pursuant to R.C. 2323.52(B) seeking a declaration from this Court that Hall is a vexatious litigator. Pursuant to R.C. 2323.52(3), a "vexatious litigator means any person who has habitually, persistently, and without reasonable grounds engaged in vexatious conduct in a civil action or actions, \*\*\*." Vexatious conduct is further defined in R.C. 2323.52(2) as conduct which "\*\*\*\* obviously serves merely to harass or maliciously injure another party to the civil action.

(b) The 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."

In September 1992, Hall was convicted of three counts of Rape in violation of R.C. 2907.02(A)(1)(b). Since then, the Court finds Hall has filed repetitive requests to

vacate his plea of guilty to those underlying charges. These requests have been denied in their entirety by both the trial Court and the Appellate Court. See, *State v. Hall*, 11<sup>th</sup> Dist. No. 2001-T-0124, 2002-Ohio-4704, see, also, *State v. Hall*, 11<sup>th</sup> Dist. No. 2003-T-0114, 2004-Ohio-6471.

The Court finds the motion for summary judgment filed by Watkins is well taken. There are no genuine issues of material fact on which reasonable minds could reach different conclusions. Hall's conduct in filing repetitive motions seeking the same relief despite numerous denials at every turn constitutes vexatious conduct pursuant to R.C. 2323.52(2). Furthermore, the Court finds Hall is a vexatious litigator pursuant to R.C. 2323.52(3).

Therefore, the Court finds Don Hall is a vexatious litigator and is hereby prohibited from the following:

1. instituting legal proceedings in the court of claims or in a court of common pleas, municipal court, or county court; and
2. continuing any legal proceedings that he has instituted in any of the aforesaid courts prior to the entry of this Order; and
3. making any application, other than application for leave to proceed under R.C. 2323.52(F)(1) in any legal proceeding instituted by Don Hall or another person in the court of claims, or in a court of common pleas, municipal court or county court.

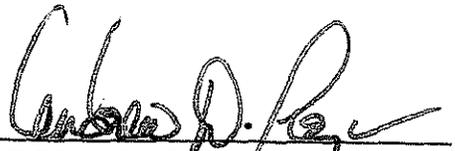
The Court finds the remaining motions – Defendant's Motion to Dismiss, Defendant's Motion for Leave, Plaintiff's Motion to Strike, and Defendant's Motion for Summary Judgment - are not well taken and the same are hereby denied.

Defendant, Don Hall, shall pay the costs of this action.

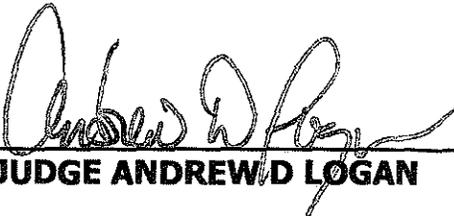
IT IS SO ORDERED.

This is a final, appealable order and there is no just cause for delay.

Date: September 10, 2012

  
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JUDGE ANDREW D LOGAN

**TO THE CLERK OF COURTS: You Are Ordered to Serve  
Copies of this Judgment on all Counsel of Record  
or Upon the Parties who are Unrepresented Forthwith  
by Ordinary Mail.**

  
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JUDGE ANDREW D LOGAN

9-11-12  
copies to:  
Pres.  
D. Hall