

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO
GENERAL DIVISION

MARYELLEN O'SHAUGHNESSY, :
 :
 Petitioner, : Case No. 16 CV 4577
 :
 Vs. : Judge Pat Sheeran
 :
 REV. REGINA M. IBANEZ, :
 :
 Respondent. :

AND

OHIO ATTORNEY GENERAL, :
 :
 Petitioner, : Case No. 16 CV 5060
 :
 Vs. : Judge Pat Sheeran
 :
 REV. REGINA M. IBANEZ, :
 :
 Respondent. :

FILED
COMMON PLEAS COURT
FRANKLIN CO. OHIO
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CLERK OF COURTS

**DECISION AND ENTRY GRANTING A PRELIMINARY AND PERMANENT
INJUNCTION DECLARING RESPONDENT TO BE A VEXATIOUS LITIGATOR**

Entered this 8th day of September, 2016

Sheeran, J.

These cases are before the Court on Petitioners' Motions for an Injunction against Respondent, where Petitioner asks that Respondent be declared a vexatious litigator, pursuant to R.C. 2323.52.

These cases were consolidated on June 6, 2016. This Court notes that there are common questions of law and fact relative to these two cases.

Although there are a great number of exhibits presented here, these cases are ultimately not complicated. It is admitted by Respondent that she filed a great many civil stalking

protection orders, motions, civil actions, and disciplinary complaints against judges, magistrates, clerks, employees of the Ohio Civil Rights Commission, and various others. These filings happened because Respondent strongly believed, and continues to believe, that significant evidence exists that sexual abuse has occurred against numerous child victims. Respondent strongly believes that her former common law husband, Charles D. Blunt, had numerous incestuous affairs during the time they were living together.¹ She also firmly believes that Charles Blunt “raped his siblings and nieces when they were minors.”²

As a result, Respondent, based on her information and beliefs, rightly filed for a CSPO against specific members of the Blunt family. However, Respondent’s Motions for those Orders were denied by Judge Dana Preisse. There is no question that the decision in this matter was made, and was not appealed, by Respondent.

The refusal to grant a CSPO by Judge Preisse caused Respondent to file for a CSPO against Judge Preisse. In her request for a CSPO, Respondent in 16 CV 3218 noted that Judge Precise³ failed to grant Respondent a CSPO “and that’s against the law.” She also noted that the police failed to make arrests she felt (and continues to feel) were strongly warranted, that various Judges and Magistrates “lied in the courtroom”⁴

In the above case, and, indeed, in ALL of the cases filed by Respondent, no permanent CSPO has ever been granted, nor does it appear that criminal charges were ever filed, or at least successfully filed, against Charles Blunt (or any of the Blunts) for rape or any other sexual offense. In short, Respondent has a consistent record of being frustrated in her attempts to get various officials to see things as she does.

¹ Ohio law has not recognized common law marriages at any time that is germane to Respondent’s statements.

² 16 CV 3218 (Respondent’s request for a Civil Stalking Protection Order, Addendum, at p. 1).

³ The misspelling does not change the fact that Respondent is referencing Judge Dana Preisse, Franklin County Court of Common Pleas, Domestic Relations Division

⁴ Id.

A review of the exhibits submitted in these cases makes it clear that Respondent relied on her belief that anyone in authority who disagrees with her is complicit in any wrongdoing that she asserts has taken place. For example, in Exhibit 8, Respondent admits that she sent an e-mail to Sandra R. Aukeman at the Columbus Region of the Ohio Civil Rights Commission, and that in that e-mail, she calls Ms. Aukeman "Stupid, Jack Ass, Incompetent, Bastard" but more importantly stated that "I will file charges on you." She acknowledged to this Court's question that she meant that she would file for a CSPO against Ms. Aukeman, and she in fact did.⁷ Thus, Respondent has exhibited a significant misunderstanding of the role that the persons she files these actions against have in the justice system.

Just as importantly, Respondent appears to fail to understand that actual legal remedies ARE available to her. For example, Respondent has consistently FAILED to appeal ANY of the rulings or decisions of courts or state agencies that have refused her the relief she seeks. Instead, she takes the legally incomprehensible tack of filing for CSPO against them.

But Respondent's conduct goes well beyond just a complete misinterpretation of existing law regarding complicity. She also has exhibited behavior that is clearly vengeful in character. She claims that "in denying my complaints, I'm being harassed, I'm being assaulted."⁸ This leads to her filing of charges where there simply is no basis in law for them to be filed. In fact, Respondent is NOT being harassed or assaulted. She is being denied the relief she seeks, which is a very different thing.

Respondent testified that she IS familiar with the appellate process. While this Court tends to be wary of indigents who claim to know and understand the appellate process, Respondent's claim of knowing her appellate rights does have some ring of truth to it. As a

⁷ See 16 CV 3354.

⁸ In court testimony, August 26, 2016, 2:29 p.m.

result, her continued request for CSPOs in circumstances that are not remotely appropriate to the situation is clearly a deliberate act on her part to hurt, harm, or otherwise harass persons who do not agree with her.

This cannot be allowed to continue. Given the intent, and the plain meaning of the vexatious litigator statutes, this Court finds by clear and convincing evidence that Respondent is a vexatious litigator. She has viciously pursued wrongful actions against specific employees the Ohio Civil Rights Commission (Case No. 16 CV 6603), and has taken the same actions against all those noted as defendants in the CSPO filings she has made against judges, magistrates, employees in the Clerk of Courts office, and all others whom she names as Respondents in her CSPO filings.

There has not been one instance, in the cases before this Court that involve judges, magistrates, employees of the Clerk of Court's office (including the Clerk of Courts herself), or any other filings where a CSPO would be proper, given the testimonial motivation of Respondent. One does not seek CSPOs against persons who have taken no action against one (here, the Respondent), other than to make decisions in the ordinary course of their professional or ministerial (e.g. deputy clerks) jobs.

In *Roo v. Sain*, Tenth App. Dist. Case No. 04-AP-881, 2005 Ohio 2436, the Court of Appeals made a statement in reference to the conduct of the appellant therein, which completely fits the instant case. The Court stated:

In spite of appellants' persistent belief that [numerous] trial court[s]...have reached the wrong conclusions, there comes a time in the course of litigation where a non-prevailing party must realize that further efforts are not only futile but also frivolous and harassing. Appellants' arguments are not well-taken...

Id., quoting *Sain v. Roo*, Franklin App. No. 02-AP-448, 2003 Ohio 626, at P13.

Respondent has been following a totally fallacious line of reasoning in her filings, and she must cease doing this forthwith.

The Motions for an Injunction in these cases are SUSTAINED. Petitioner O'Shaughnessey's Motion for a Preliminary and Permanent Injunction declaring Respondent to be a vexatious litigator is SUSTAINED. Petitioner the Ohio Attorney General's Motion for a Preliminary Injunction is also SUSTAINED.

Respondent, REGINA IBANEZ, is hereby found and declared to be a vexatious litigator, as that term is used in R.C. 2323.52. As a result, Respondent shall not and may NOT file **any** legal actions without the express, written approval of this Court.⁹

In addition, because Respondent has several pending actions in the General Division of the Court of Common Pleas of Franklin County, that were filed prior to the filing of this Entry, this Court hereby ORDERS, pursuant to R.C. 2323.52(D)(1)(b), that Respondent shall not continue to prosecute any legal proceedings that she has instituted in any common pleas court, municipal court, or county court prior to the entry of this order.

Further, the Court hereby ORDERS, pursuant to R.C. 2323.52(D)(1)(c), that Respondent shall not make any application (other than an application to this Court for leave to proceed under R.C. 2323.52(F)(1)), in any legal proceedings instituted by the Defendant or another person in any common pleas court, municipal court, or county court.

Pursuant to R.C. 2323.52 (H), the Clerk of Courts shall send a certified copy of this Order to the Ohio Supreme court for publication

A hearing date for the Permanent Injunction filed by Petitioner, Ohio Attorney General, will be set by this Court.

It is so ORDERED.

⁹ The lone exception, of course, is taking an appeal of any final, appealable Order entered *in this case*.

THIS IS A FINAL, APPEALABLE ORDER.

Patrick E. Sheeran 9/8/16

Patrick E. Sheeran, Judge

Copies to:

All counsel of record
Rev. Regina Ibanez, *pro se*

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 FORE- GOING IS TRULY TAKEN AND COPIED FROM THE ORIGINAL <i>Decision and Entry</i>	
GIVEN UNDER MY HAND AND SEAL OF SAID COUNTY THIS <i>8</i> DAY OF <i>Sept</i> A.D. 20 <i>16</i>	
MARYELLEN O'SHAUGHNESSY, Clerk	
By <i>SM</i>	Deputy