

FILED
FULTON COUNTY
COMMON PLEAS COURT
2012 AUG 22 P 12:35
PAUL E. MACDONALD
CLERK

IN THE COURT OF COMMON PLEAS OF FULTON COUNTY, OHIO

Scott Haselman, Fulton Co. Prosecutor, *

Plaintiff, *

-vs- *

Daniel L. Rittner, Sr., *

Defendant. *

Case No. 11CV000260

JUDGMENT ENTRY

* * * * *

Coming on before the Court are the following:

1. Plaintiff's Motion for Summary Judgment, with Supporting Brief, filed February 13, 2012.
2. Defendant's thirteen page Response, filed June 13, 2012, which includes additional Attachments, to include Exhibits and Defendant's four page "Affidavit of Variety."
3. Plaintiff's Reply Memorandum, filed June 29, 2012.

Prosecuting Attorney Haselman, as Plaintiff, pleads that Defendant, as a "pro se" litigant, is a "vexatious" litigator, and that the numerous actions Defendant has instituted and filed in the various Courts, without any success, is proof of that claim. Mr. Rittner has been a party to nineteen

different law suits, nine of which he instituted as Plaintiff. By way of further illustration Mr. Haselman points out that Defendant filed and prosecuted a “Mandamus Action” in the Probate Court, being Case No. 218MI, with Affidavit of Indigency attached, numerous actions in Defendant’s Divorce Action, being Case No. 94DV178, numerous actions in Defendant’s criminal case, being Case No. 92CR118, and a “Mandamus Action” in the Court of Appeals, Case No. 10FU020, against the Director of Emergency Management Services. All of these actions, which are heavy on rhetoric, case citations, and document and copying requests, have had, at most, only a collateral bearing on any of the issues or reasons why Defendant is currently serving a twenty-five year sentence at the Ohio Department of Corrections and Rehabilitations. All of these have required legal research by the Prosecutor’s Office, use of resources, and a great deal of overhead expense. These excessive costs have all had to be borne by the good citizens of Fulton County, Ohio, to their detriment. Plaintiff has a point.

Frankly many of Defendant’s Pleadings are convoluted, disjointed, and hard to follow. There is no disagreement that the victim of Defendant’s crime was also raped by another individual, and he is serving prison time as well as the Defendant. That does not excuse nor vitiate Defendant’s conviction. Defendant’s constant recourse to the Courts is an expensive re-hash of various matters previously litigated and resolved. “Res Judicata” has to have some meaning. For all of those reasons Plaintiff is entitled to some reasonable relief.

Accordingly, after construing all the facts and inferences most strongly in Defendant’s favor, and against the Plaintiff, it is clear, and the Court hereby finds that there are no genuine issues of material fact, and that Plaintiff’s Motion for Judgment in his favor is in the interest of justice, and that it should and must be GRANTED. Now therefore,

DEFENDANT IS HEREBY DECLARED TO BE A "VEXATIOUS LITIGATOR."

IT IS SO ORDERED.

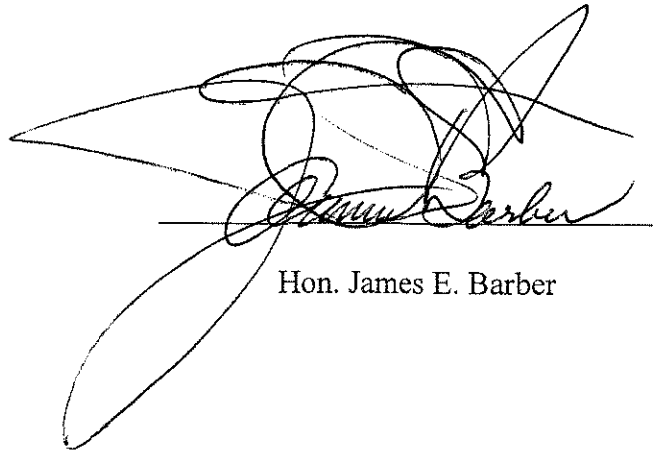
The Court's Ruling appears to be a complete and Final Ruling on all salient and justiciable issues in the instant case, that there is no good nor sufficient cause for further delay, and that FINAL JUDGMENT should be GRANTED in favor of Plaintiff, and against the Defendant. Now therefore,

IT IS SO ORDERED.

Defendant is hereby DECLARED to be a "Vexatious Litigator," and he shall not file any action except by and with permission of the Common Pleas Court, and he shall be governed by the provisions of Ohio Revised Code Section 2323.52(F), et seq.

IT IS SO ORDERED.

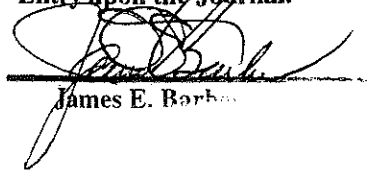
THIS IS A FINAL, APPEALABLE JUDGMENT.



Hon. James E. Barber

cc: Scott Haselman, Prosecutor
Daniel Rittner, Sr., Defendant

**This is a Final Judgment
To the Clerk: Serve all parties
not in Default with "Notice of
this Judgment, and "Date of its
Entry upon the Journal."**



James E. Barber