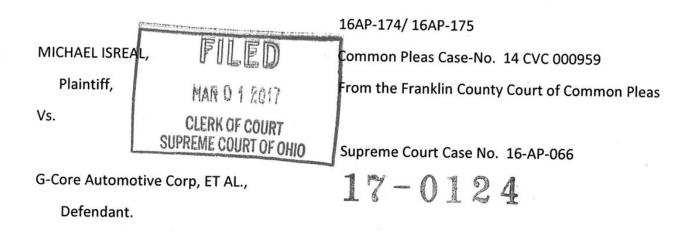


IN THE SUPREME COURT OF OHIO



- (1) REQUEST FOR DISQUALIFICATION OF MAUREEN O'CONNOR CHIEF JUSTICE TO REQUSE HERSELF OR BE DISAQUALIFIED FOR DENYING PRO SE CITIZEN MICHAEL ISREAL'S CITIZENSHIP RIGHT TO MOTION THE COURT CLARITY CONCERNING JUDGE HOLBROOK DENYING (2) OF APPELLANT MICHAEL ISREAL'S PUBLIC INFORMATION REQUEST MOTIONS ADDRESSED TO THE CLERK OF COURTS AND PROSECUTOR RON OBREIN
- (2) MOTION FOR THIS COURT (IF IT REASONABLY APPEARS THAT JUDGE HOLBROOK HAS BEEN RULLING ON MATTERS HE SHOULD HAVE NOT BEEN), JUDGE HOLBROOK ACCORDING TO R.C. 2701.03.
- (3) <u>RECONSIDERATION OF YOUR MORALITY.</u>

IN SUPPORT OF THE FOREGOING AND AFTER

On February 02, 2017, Appellant Michael Isreal filed an affidavit with the Supreme Court of Ohio seeking Clarity concerning if Judge Holbrook has authority presiding over any further proceedings in the above captioned case. This motions comes after affidavits of disqualification against Judge Michael Holbrook on July 29, 2016, and December 6, 2016.

SERVICE

See case Nos. 16-Ap-066 and 16-AP-101. The affidavits were denied by entries dated August 2, 2016, and December 8, 2016, respectively.

On February 21, 2017, Chief Justice Maureen O'Connor said: "On February 25, 2017, Mr. Isreal filed a motion requesting clarification on one of Judge Holbrooks decisions in the underlying case: however the motion clearly says (2).

NoTE: Judge Holbrook DENIEL ISREAL to

GET the October 25, 2012 CR

Showing the Ship 3 for which

Ordered SEE 10.25.2012 Notice

Of filmy CD with the Franklin

Constr Common Plane Count

Note Only (ICd has been Refred

To the Franklin County Common

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IN SUPPORT OF THE FOREGOING AND AFTER

On January 30, 2017, Judge Michael Holbrook denied Appellant Michael Isreal's Public Information Request Motion for Production of Documents addressed to Ron O'Brein stating: "The motion presents no new issue for the Court to resolve." Appellant Isreal would like for this court to consider the following:

1. Plaintiff-Appellant Michael Isreal requested (2) cds how -ever, only one has been produced. See the attached entrys

RELIEF SOUGHT

A. Let the Court Speak through the Rules of Evidence established by the Supreme Court of Ohio and the Constitution of the United States affording every citizen their constitutional rights without the government's interference. Including but not limited to public records access.

<u>SERVICE</u>

Mailed to:

David Caborn 6265 Riverside Dr. Dublin, Ohio 43017

Michael Isreal P.O. Box 10694

Columbus, Oh 43201 /

Stephen Merriam 6000 Lombardo

Seven Hills, Oh 44131

This of MArch, 2017

IN THE YEAR OF THE LORD

2017

IN THE SUPREME COURT OF OHIO

16AP-174/16AY-175

MICHAEL ISREAL,

Common Pleas Case No. 14CV000959

Plaintiff,

From the Franklin County Court of Common Pleas

VS.

Supreme Court Case No. 16-AP-066

G-CORE AUTOMOTIVE CORP. ET AL.,

Defendant.

Judgment Entry on Affiant's Miscellaneous Motions

Plaintiff Michael Isreal filed affidavits of disqualification against Judge Michael Holbrook on July 29, 2016, and December 6, 2016. See case Nos. 16-AP-066 and 16-AP-101. The affidavits were denied by entries dated August 2, 2016, and December 8, 2016, respectively.

On February 2, 2017, Mr. Isreal filed a motion requesting clarification of one of Judge Holbrook's decisions in the underlying case. Mr. Isreal's motion also appears to again request the judge's removal from the case. Upon consideration of Mr. Isreal's recent filing, his motion is denied.

Dated this 10th day of February, 2017.

MAUREEN O'CONNOR Chief Justice

Copies to:

Sandra H. Grosko, Clerk of the Supreme Court

Hon. Michael Holbrook

Franklin County Clerk of Courts

Michael Isreal Anna Wachtell, Esq.

RULE 2.6 Ensuring the Right to Be Heard

- (A) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to *law*.
- (B) A judge may encourage parties to a proceeding and their lawyers to settle matters in dispute but shall not act in a manner that coerces any party into settlement.

Comment

- [1] The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.
- [1A] The rapid growth in litigation involving self-represented litigants and increasing awareness of the significance of the role of the courts in promoting access to justice have led to additional flexibility by judges and other court officials in order to facilitate a self-represented litigant's ability to be heard. By way of illustration, individual judges have found the following affirmative, nonprejudicial steps helpful in this regard: (1) providing brief information about the proceeding and evidentiary and foundational requirements; (2) modifying the traditional order of taking evidence; (3) refraining from using legal jargon; (4) explaining the basis for a ruling; and (5) making referrals to any resources available to assist the litigant in the preparation of the case.
- [2] The judge plays an important role in overseeing the settlement of disputes, but should be careful that efforts to further settlement do not undermine any party's right to be heard according to law. The judge should keep in mind the effect that the judge's participation in settlement discussions may have, not only on the judge's own views of the case, but also on the perceptions of the lawyers and the parties if the case remains with the judge after settlement efforts are unsuccessful. Among the factors that a judge should consider when deciding upon an appropriate settlement practice for a case are: (1) whether the parties have requested or voluntarily consented to a certain level of participation by the judge in settlement discussions; (2) whether the parties and their counsel are relatively sophisticated in legal matters; (3) whether the case will be tried by the judge or a jury; (4) whether the parties participate with their counsel in settlement discussions; (5) whether any parties are unrepresented by counsel; and (6) whether the matter is civil or criminal.
- [3] Judges must be mindful of the effect settlement discussions can have, not only on their objectivity and impartiality, but also on the appearance of their objectivity and impartiality. Despite a judge's best efforts, there may be instances when information obtained during settlement discussions could influence a judge's decision making during trial, and, in such instances, the judge should consider whether disqualification may be appropriate. See Rule 2.11(A)(1).

Comparison to Ohio Code of Judicial Conduct

The Ohio Code contains no provision analogous to Rule 2.6.

Canon 1

A judge shall uphold and promote the *independence, integrity, and impartiality* of the judiciary, and shall avoid *impropriety* and the appearance of *impropriety*.

Canon 2

A judge shall perform the duties of judicial office *impartially*, competently, and diligently.

RULE 9. The Record on Appeal

(A) Composition of the record on appeal; recording of proceedings.

- (1) The original papers and exhibits thereto filed in the trial court, the transcript of proceedings, if any, including exhibits, and a certified copy of the docket and journal entries prepared by the clerk of the trial court shall constitute the record on appeal in all cases.
- (2) The trial court shall ensure that all proceedings of record are recorded by a reliable method, which may include a stenographic/shorthand reporter, audio-recording device, and/or video-recording device. The selection of the method in each case is in the sound discretion of the trial court, except that in all capital cases the proceedings shall be recorded by a stenographic/shorthand reporter in addition to any other recording device the trial court wishes to employ.
- (B) The transcript of proceedings; discretion of trial court to select transcriber; duty of appellant to order; notice to appellee if partial transcript is ordered.
- (1) Except as provided in App.R. 11.2(B)(3)(b), it is the obligation of the appellant to ensure that the proceedings the appellant considers necessary for inclusion in the record, however those proceedings were recorded, are transcribed in a form that meets the specifications of App. R. 9(B)(6).
- (2) Any stenographic/shorthand reporter selected by the trial court to record the proceedings may also serve as the official transcriber of those proceedings without prior trial court approval. Otherwise, the transcriber of the proceedings must be approved by the trial court. A party may move to appoint a particular transcriber or the trial court may appoint a transcriber sua sponte; in either case, the selection of the transcriber is within the sound discretion of the trial court, so long as the trial court has a reasonable basis for determining that the transcriber has the necessary qualifications and training to produce a reliable transcript that conforms to the requirements of App.R. 9(B)(6).
- (3) The appellant shall order the transcript in writing and shall file a copy of the transcript order with the clerk of the trial court.
- (4) If no recording was made, or when a recording was made but is no longer available for transcription, App.R. 9(C) or 9(D) may be utilized. If the appellant intends to present an assignment of error on appeal that a finding or conclusion is unsupported by the evidence or is contrary to the weight of the evidence, the appellant shall include in the record a transcript of proceedings that includes all evidence relevant to the findings or conclusion.
- (5) Unless the entire transcript of proceedings is to be included in the record, the appellant shall file with the notice of appeal a statement, as follows:

RULE 11. Docketing the Appeal; Filing of the Record

- (A) Docketing the appeal. Upon receiving a copy of the notice of appeal, as provided in App. R. 3(D) and App. R. 5, the clerk of the court of appeals shall enter the appeal upon the docket. An appeal shall be docketed under the title given to the action in the trial court, with the appellant identified as such, but if the title does not contain the name of the appellant, the appellant's name, identified as appellant, shall be added parenthetically to the title.
- (B) Filing of the record. Upon receipt of the record, the clerk shall file the record, and shall immediately give notice to all parties of the date on which the record was filed. When a trial court is exercising concurrent jurisdiction to review a judgment of conviction pursuant to a petition for post-conviction relief, the clerk shall either make a duplicate record and send it to the clerk of the trial court or arrange for each court to have access to the original record.
- (C) Dismissal for failure of appellant to cause timely transmission of record. If the appellant fails to make reasonable arrangements to transmit the record timely, any appellee may file a motion in the court of appeals to dismiss the appeal. The motion shall be supported by a certificate of the clerk of the trial court showing the date and substance of the judgment or order from which the appeal was taken, the date on which the notice of appeal was filed, the expiration date of any order extending the time for transmitting the record, and by proof of service. The appellant may respond within ten days of such service.
- (D) Leave to appeal. In all cases where leave to appeal must first be obtained the docketing of the appeal by the clerk of the court of appeals upon receiving a copy of the notice of appeal filed in the trial court shall be deemed conditional and subject to such leave being granted.

Staff Note (July 1, 2014 amendment)

App.R. 11(C) is amended to clarify that the appellant's duty is to make reasonable arrangements for the timely transmission of the record and that the appellant does not have the ability, and thus does not have the duty, to ensure that the record is transmitted once those reasonable arrangements have been made. That is not to suggest that an appellate court may reverse a judgment without a proper record; it simply clarifies that the appellant should not be penalized for any failure in transmitting the record (including any delay in producing a transcript of proceedings) if the deficiency is outside the appellant's control. See, e.g., Camp-Out, Inc. v. Adkins, 6th Dist. No. WD-06-057, 2007-Ohio-447 (denying motion to dismiss based on missing transcript). Cf. In re Efford, 8th Dist. No. 77747, 2000 WL 1514100, *1 (Oct. 12, 2000) (dismissing appeal because of appellant's failure to ensure timely transmission of record).

[Effective: July 1, 1971; amended effective July 1, 1975; July 1, 1997; July 1, 2014.]

RULE 10. Transmission of the Record

- (A) Time for transmission; duty of appellant. The record on appeal, including the transcript and exhibits necessary for the determination of the appeal, shall be transmitted to the clerk of the court of appeals when the record is complete for the purposes of appeal, or when forty days, which is reduced to twenty days for an accelerated calendar case, have elapsed after the filing of the notice of appeal and no order extending time has been granted under subdivision (C). After filing the notice of appeal the appellant shall comply with the provisions of App.R. 9(B) and shall take any other action reasonably necessary to enable the clerk to assemble and transmit the record. If more than one appeal is taken, each appellant shall comply with the provisions of App.R. 9(B) and this division, and a single record shall be transmitted when forty days have elapsed after the filing of the final notice of appeal. If the appellant has complied with the duty to make reasonable arrangements for transcription of the recorded proceedings under App.R. 9(B) and the duty to make reasonable arrangements to enable the clerk to assemble and transmit the record under this division, then the appellant is not responsible for any delay or failure to transmit the record.
- (B) Duty of clerk to transmit the record. The clerk of the trial court shall prepare the certified copy of the docket and journal entries, assemble the original papers, (or in the instance of an agreed statement of the case pursuant to App.R. 9(D), the agreed statement of the case), and transmit the record upon appeal to the clerk of the court of appeals within the time stated in division (A) of this rule. The clerk of the trial court shall number the documents comprising the record and shall transmit with the record a list of the documents correspondingly numbered and identified with reasonable definiteness. Documents of unusual bulk or weight and physical exhibits other than documents shall not be transmitted by the clerk unless the clerk is directed to do so by a party or by the clerk of the court of appeals. A party must make advance arrangements with the clerks for the transportation and receipt of exhibits of unusual bulk or weight.

Transmission of the record is effected when the clerk of the trial court mails or otherwise forwards the record to the clerk of the court of appeals. The clerk of the trial court shall indicate, by endorsement on the face of the record or otherwise, the date upon which it is transmitted to the court of appeals and shall note the transmission on the appearance docket.

The record shall be deemed to be complete for the purposes of appeal, and thus ready for transmission to the clerk of the court of appeals, under any of the following circumstances:

- (1) When the transcript of proceedings is filed with the clerk of the trial court if the appellant has ordered one.
- (2) When a statement of the evidence or proceedings, pursuant to App.R. 9(C), is settled and approved by the trial court, and filed with the clerk of the trial court.

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- (3) When an agreed statement in lieu of the record, pursuant to Rule 9(D), is approved by the trial court, and filed with the clerk of the trial court.
- (4) Where appellant, pursuant to App.R. 9(B)(5)(a), designates that no part of the transcript of proceedings is to be included in the record or that no transcript is necessary for appeal, after the expiration of ten days following service of such designation upon appellee, unless appellee has within such time filed a designation of additional parts of the transcript to be included in the record.
- (5) When forty days have elapsed after filing of the last notice of appeal, and there is no extension of time for transmission of the record or a pending motion requesting the same in either the trial or the appellate court.
- (6) When twenty days have elapsed after filing of the last notice of appeal in an accelerated calendar case, and there is no extension of time for transmission of the record or a pending motion requesting the same in either the trial or the appellate court.
- (7) Where the appellant fails to file either the docketing statement or the statement required by App.R. 9(B)(5), within ten days of filing the notice of appeal.
- Extension of time for transmission of the record; reduction of time. Except as may be otherwise provided by local rule adopted by the court of appeals pursuant to App.R.41, the trial court for cause shown set forth in the order may extend the time for transmitting the record. The clerk shall certify the order of extension to the court of appeals. A request for extension to the trial court and a ruling by the trial court must be made within the time originally prescribed or within an extension previously granted. If the trial court is without authority to grant the relief sought, by operation of this rule or local rule, or has denied a request therefor, the court of appeals may on motion for cause shown extend the time for transmitting the record or may permit the record to be transmitted and filed after the expiration of the time allowed or fixed. If a request for an extension of time for transmitting the record has been previously denied, the motion shall set forth the denial and shall state the reasons therefor, if any were given. The court of appeals may require the record to be transmitted and the appeal to be docketed at any time within the time otherwise fixed or allowed therefor. An appellant who moves under this division for an extension of time to transmit the record has good cause to do so if the appellant has reasonably complied with all applicable requirements of App.R. 9(B) and division (A) of this rule.
- (D) Retention of the record in the trial court by order of court. If the record or any part thereof is required in the trial court for use there pending the appeal, the trial court may make an order to that effect, and the clerk of the trial court shall retain the record or parts thereof subject to the request of the court of appeals, and shall transmit a copy of the order and of the docket and journal entries together with such parts of the original record as the trial court shall allow and copies of such parts as the parties may designate.

- (E) Stipulation of parties that parts of the record be retained in the trial court. The parties may agree by written stipulation filed in the trial court that designated parts of the record shall be retained in the trial court unless thereafter the court of appeals shall order or any party shall request their transmittal. The parts thus designated shall nevertheless be a part of the record on appeal for all purposes.
- (F) Record for preliminary hearing in the court of appeals. If prior to the time the record is transmitted a party desires to make in the court of appeals a motion for dismissal, for release, for a stay pending appeal, for additional security on the bond on appeal or on a supersedeas bond, or for any intermediate order, the clerk of the trial court at the request of any party shall transmit to the court of appeals such parts of the original record as any party shall designate.
- (G) Transmission of the record when leave to appeal obtained. In all cases where leave to appeal must first be obtained all time limits for the preparation and transmission of the record hereinbefore set forth shall run from the filing of the journal entry of the court of appeals granting such leave rather than from the filing of the notice of appeal.

Staff Note (July 1, 2014 amendment)

App.R. 10(A) is amended to clarify that the appellant's duty is to make reasonable arrangements for the timely transmission of the record and that the appellant does not have the ability, and thus does not have the duty, to ensure that the record is transmitted once those reasonable arrangements have been made. That is not to suggest that an appellate court may reverse a judgment without a proper record; it simply clarifies that the appellant should not be penalized for any failure in transmitting the record (including any delay in producing a transcript of proceedings) if the deficiency is outside the appellant's control. See, e.g., Camp-Out, Inc. v. Adkins, 6th Dist. No. WD-06-057, 2007-Ohio-447 (denying motion to dismiss based on missing transcript). Cf. In re Efford, 8th Dist. No. 77747, 2000 WL 1514100, *1 (Oct. 12, 2000) (dismissing appeal because of appellant's failure to ensure timely transmission of complete record).

Similarly, App.R. 10(C) is amended to clarify that an appellant will presumably have the requisite good cause for extending the time to transmit the record if the appellant has complied with all applicable requirements to arrange for both the transcribing of the recorded proceedings and transmission of the record. The reference in App.R. 10(C) to App.R. 30 is also corrected to App.R. 41.

Staff Notes (July 1, 2012 Amendments)

The amendments to App.R. 10(B) are largely stylistic, designed to clarify the prior rule language. Note that the additions to App.R. 10(B)(5) and 10(B)(6) now provide that the record is not complete, even after the standard time for preparing the record has expired, if there is a pending motion to extend that time.

Steph today in

[Effective: July 1, 1971; amended effective July 1, 1972; July 1, 1973; July 1, 1975; July 1, 1976; July 1, 1977; July 1, 1982; July 1, 2012; July 1, 2014.]

FRANKLIN COUNTY COURT OF APPEALS TENTH APPELLATE DISTRICT COLUMBUS, OHIO 43215

RETURN RECEIPT FOR TRIAL COURT FILES and PROSECUTOR EXHIBITS

	Common Pleas Criminal		Common Pleas Juvenile	☐ Court of Claims
Þ	Common Pleas Civil		Probate Court	Municipal Criminal
	Common Pleas Domestic		Administrative	☐ Municipal Civil
	Prosecutor Exhibits		Michael =	Isreal
	APPEALS CASE NUMB	140	V 5354	In. Co
	We received case number_	(T	rial Court Case Number)	from your Court with
	Volumes (of file)		Identify Property	7-*: 3-C 74: 3-10 74: 45-10 74: 75-75
	Transcripts of pro	ceedii	ngs	
	Depositions			
	Envelope (s) of Exi	hibits	Date Released to P	roperty Room
	Other: CO			
	Prepared on this 27 day of	J	ANUARY, 2017 by	APPEALS CLERK
	Received on this 30day of	<u>U</u>	0	UTOR/TRIAL COURT CLERK

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PRECEDENT CASE OF FIRST IMPRESSION

IN THE SUPREME COURT OF OHIO

MICHAEL ISREAL.

Plaintiff,

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CLERK OF COURT
SUPREME COURT OF OHIO

Common Pleas Case No. 14CV000959

16AP-959

From the Franklin County Court of Common Pleas

Supreme Court Case No. 16-AP-066

G-CORE AUTOMOTIVE CORP. ET AL.,

Defendants.

(1) MOTION FOR THE SUPREME COURT OF OHIO FOR CLARITY CONCERNING JUDGE HOLBROOK'S AUTHORITY DENYING (2) OF APPELLANT MICHAEL ISREAL'S PUBLIC INFORMATION REQUEST MOTIONS ADDRESSED TO THE CLERK OF COURTS AND PROSECUTOR RON O'BREIN

(2) MOTION FOR THIS COURT (IF IT REASONABLLY APPEARS THAT JUDGE HOLBROOK HAS BEEN RULLING ON MATTERS HE SHOULD NOT HAVE BEEN), TO DISQUALIFY JUDGE HOLBROOK ACCORDING TO R.C. 2701.03.

IN SUPPORT OF THE FOREGOING AND AFTER

Appellant Michael Isreal has filed an affidavit with the clerk of this court seeking clarity concerning if Judge Holbrook has authority presiding over any further proceedings in the above-captioned case. This motions comes after Judge Holbrook denied the following motions:

 On August 15, 2016, Plaintiff in these consolidated cases filed a document entitled "Motion for the Lower Court to Provide a Clear and Complete Record of the Proceedings

- to the Appellate Court to include the following: See ATTACHED Judge Holbrooks ENTRY DENYING MOTION (FILED AUGUST 15, 2016.)
- On January 25, 2017, Plaintiff in these consolidated cases filed a document entitled
 "Motion for Production of Documents" and "Complaint." Upon review, the motion is
 actually a letter to the Franklin County Prosecutor asking him to compel the Clerk of
 Court to make certain records available to Plaintiff. See ATTACHED Judge Holbrooks
 Entry DENYING MOTION FOR PRODUCTION OF DOCUMENTS (FILED JANUARY 25, 2017).
- 3. SEE ISREALS MOTION FOR PRODUCTION OF DOCUMENTS AND COMPLAINT.

RELIEF SOUGHT

MICHAEL ISREAL WANTS HIS DAY IN COURT.

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

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MICHAEL ISREAL,

Plaintiff

Case No. 14CVC01-959

VS.

JUDGE HOLBROOK

G-CORE AUTOMOTIVE CORP., et al.,

Defendants

MICHAEL ISREAL,

Plaintiff

Case No. 14CVC05-5354

VS.

Consolidated to

JUDGE HOLBROOK

STATE AUTO INSURANCE CO., et al.,

Defendants.

ENTRY DENYING MOTION FILED AUGUST 15, 2016

On August 15, 2016, Plaintiff in these consolidated cases filed a document entitled "Motion for the Lower Court to Provide a Clear and Complete Record of the Proceedings to the Appellate Court to Include the Following: [four specified items]." The specified items are "Plaintiff Isreal's Certified copys (sic) of the 7/15/2015 Status Conference recordings," by which the Court understands that Plaintiff is referring to the compact discs containing his self-made audio recording of the status conference conducted July 15, 2015, and three subsequently dated Records Division Sign-Out and Sign-In forms produced by the Clerk of Court. Upon consultation with the Clerk of Court, this Court finds that all of the specified items are part of the official record that has been certified and transmitted by the Clerk of the Common Pleas Court to the Clerk

of Tenth District Court of Appeals. As such, the action requested by Plaintiff has already occurred. Plaintiff's August 15, 2016 motion is **denied**.

IT IS SO ORDERED.

Electronic notification to Plaintiff, pro se, and counsel of record.

Franklin County Court of Common Pleas

Date:

08-24-2016

Casé Title:

MICHAEL ISREAL -VS- G CORE AUTOMOTIVE CORPORATION

Case Number:

14CV000959

Type:

ENTRY

It Is So Ordered.

/s/ Judge Michael J. Holbrook

Electronically signed on 2016-Aug-24 page 3 of 3

Court Disposition

Case Number: 14CV000959

Case Style: MICHAEL ISREAL -VS- G CORE AUTOMOTIVE CORPORATION

Motion Tie Off Information:

Motion CMS Document Id: 14CV0009592016-08-1599980000
 Document Title: 08-15-2016-MOTION FOR PRODUCTION OF DOCUMENTS - PLAINTIFF: MICHAEL ISREAL
 Disposition: MOTION DENIED

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

MICHAEL ISREAL,

:

Plaintiff

Case No. 14CVC01-959

VS.

JUDGE HOLBROOK

G-CORE AUTOMOTIVE CORP., et al.,

Defendants

MICHAEL ISREAL,

Plaintiff

Case No. 14CVC05-5354

VS.

: Consolidated to

JUDGE HOLBROOK

STATE AUTO INSURANCE CO., et al.,

Defendants.

:

:

ENTRY DENYING MOTION FOR PRODUCTION OF DOCUMENTS (FILED JANUARY 25, 2017)

On January 25, 2017, Plaintiff in these consolidated cases filed a document entitled "Motion for Production of Documents" and "Complaint." Upon review, the motion is actually a letter to the Franklin County Prosecutor asking him to compel the Clerk of Court to make certain records available to Plaintiff. And, attached to the letter are several motions previously filed with the Court, all of which have been resolved contrary to Plaintiff's wishes. The motion presents no new issue for the Court to resolve. Accordingly, the motion is **DENIED**.

IT IS SO ORDERED.

Electronic notification to Plaintiff, pro se, and counsel of record.

Franklin County Court of Common Pleas

Date:

01-30-2017

Case Title:

MICHAEL ISREAL -VS- G CORE AUTOMOTIVE CORPORATION

Case Number:

14CV000959

Type:

ENTRY

It Is So Ordered.

/s/ Judge Michael J. Holbrook

Electronically signed on 2017-Jan-30 page 2 of 2

Court Disposition

Case Number: 14CV000959

Case Style: MICHAEL ISREAL -VS- G CORE AUTOMOTIVE CORPORATION

Motion Tie Off Information:

Motion CMS Document Id: 14CV0009592017-01-2599980000
 Document Title: 01-25-2017-MOTION - PLAINTIFF: MICHAEL ISREAL - FOR PRODUCTION OF DOCUMENTS

Disposition: MOTION DENIED

MICHAEL ISREAL P.O. BOX 10694 COLUMBUS, OLIIO 43201 (614) 657-3139 — Plantite Appellant VS VS A+ A oto INS A+d S-Core Atlantic

RON O'BREIN PROSECUTING COUNTY ATTORNEY 373 SOUTH HIGH STREET COLUMBUS, OHIO 43215

COMPLAINT

RE: PUBLIC INFORMATION REQUEST

DEAR SIR:

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NOW COMES PLAINTIFF-APPELLANT MICHAEL ISREAL ASKING THE COUNTY
PROSECUTER TO COMPEL THE CLERK, MARYELLEN O'SHAUGHNESSY TO
MAKE AVAILABLE THE FOLLOWING PUBLIC RECORDS PURSUANT TO OHIO REV.
CODE ANN. 149.43, WITHELD SINCE 2016.

THE FOLLOWING RECORD OF EVENTS WILL HELP YOU WITH YOUR INVESTIGATION INTO HOW AND WHY THE PUBLIC INFORMATION HAS BEEN WITHELD FROM PLAINTIFF ISREAL.

SERVICE

MAILED AND HAND DELIVERED TO:

RON O'BRIEN MARYELLEN O'SHAUGHNESSY DAVID CABORN 373 SOUTH HIGH 273-SOUTH HIGH STREET 6265 RIVERSIDE DR. COLUMBUS, OH 43215 COLUMBUS, OHIO 43215 DUBLIN, OH 43017

STEPHÉN MERRIAM 6000 LOMBARDO SEVEN HILLS, OHIO 44131

THIS 25TH DAY OF JANUARY IN THE YEAR OF THE LORD, 2017

IN THE TENTIL DISTRICT COURT OF APPEALS PRANKLIN COUNTY, 0000

Michael Isreal,

Plaintiff-Appellant,

Vs.

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Cine No. 16 AP 174

Case No. 16 AP-175

(REGULAR CALANDAR)

(REOULAR CALANDAR)

State Auto Insurance Co. et al.,

G-Core Automotive Corp. et al.,

8 Defendant-Appellees.

CONSOLIDATED TO JUDGE HOLBROOK LOWER CASE NO'S 14CV5354 AND 14CVC959

In the tenth district court of appeals franklin county, oino

Michael Isreal

Defendant-Appellees.

See.

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OF PUBLIC INFORMATION REQUEST FOR THE COMPLETE RECORD TO BE SUBMITTED TO

COURT OF APPEALS PROM THE COURT OF COMMON PLEAS

Now here comes Plaintiff-Appellant Michael Isreal asking the appeals court to compel the lower court to provide.

The following for inspection and duplication:

1, A copy of the original CD handed to Plaintiff Isreal on October 25, 2013 by Altariev Annii Washedfüllen. Fliol with the Common pleas clerk on October 25, 2012:

2. The 2nd Status Conference CD Blief with the common plons clerk on <u>Dellary 1</u> in which Philatellary Appellant Michael Israel has not received as of January 25, 2017, after many motions to the court of appeals to compel the lower court to complete the record.

The foregoing request should be forwarded to Plaintiff Isreal within thirty days. If the request cannot be complete, please state the reason why and forward to Michael Israel at P.O. box 10694 Columbus, Ohio 43201,

IN THE COURT OF APPEALS

Franklin County Ohio Court of Appeals Clerk of Courts-2017 Jan 25 2:37 PW-16AP000174 Franklin County Ohio Court of Appeals Clerk of Courts-2017 Jan 25 11:44 AM-16AP000174

SERVICE

Midded to the following this 25th doe of January

2017

INTHE YEAR OF THE LORD TO

David Caborn 6265 Riverside Dr. Dublin, Oltie 43017 Attorney for State Auto

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Michael Isreal P.O. Box 10694 Columbus, Oh 43201 Pro Se Stephen Mendam 6000 Lorabardo Center Seven Hills, Ohio 44131 Attorney for G-Core Michael Isreal

The following Coh, bits lead of To the present freedom of Information Request.

IN THE COURT OF APPEALS

Franklin County Ohio Clerk of Courts of the Common Pleas- 2015 Jun 12 11:44 PM-14CV000959

PRECEDENT CAN DESTRES ENDRESSES.

IN THE FRANKLIN COUNTY COURT OF COMMON PLEAS CIVIL DIVISION

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MICHAEL ISREAL,

Plaintiff

Case No. 14 CVV01-959

Vs.

JUDGE MICHAEL HOLBROOK

G-CORE AUTOMOTIVE CORP., et al.,

Defendants.

MICHAELISREAL,

Plaintiff

Consolidated to

Vs

JUDGE MICHAEL HOLBROOK

STATE AUTO INSURANCE CO., et al.,

Defendants.

MOTION FOR STATUS CONFERENCE TO ADDRESS THE OUTSTANDING SUPPLEMENTAL DISCOVERY RESPONSES DEFENDANT G-CORE OFFERED TO RESPOND TO

Now comes Plaintiff Isreal asking this court to schedule a hearing on the record to clarify how Plaintiff Isreal can Supplement Discovery questions of Defendant G-Core without having received the first set on interrogatory answers?

Franklin County Ohio Clerk of Courts of the Common Pleas- 2015 Jun 12 11:44 PM-14CV000959

IN SUPPORT OF THE FORGOING AND AFTER

On April 2, 2015, Plaintiff Michael Isreal filed a motion to compel discovery.

Defendant responded to Plaintiffs motion to compel on April 7, 2015 stating that Plaintiff's motion must be denied because Defendant has responded to the discovery request.

Plaintiff Isreal submits that defendant G-Core has not provided answers to the August 20, 2014 Interrogatory request and production of documents with a verification page relative to its responses to Plaintiff as of 06/12/2015.

RELIEF SOUGHT

Plaintiff Isreal request a hearing of the record to allow the August 20, 2014, interrogatory's to be answered and the request for production of documents to be provided according to the local civil rules of procedure.

CERTIFICATE OF SERVICE

A copy of the foregoing Motion for Status Conference has been served by the Courts electronic filling system the same day filed with the Court upon:

Anna Wachtell Counsel for Defendant G-Core Automotive Corp.

David Caborn Counsel for Defendant State Auto Insurance Co. Franklin County Ohio Clerk of Courts of the Common Pleas- 2015 Jun 12 11:44 PM-14CV000959

This 12th day of June

IN THE YEAR OF THE LORD 2015

Michael Isreal

Franklin County Chio Clerk of Courts of the Common Pleas- 2015 Jul 01 3:46 PM-14CV000959

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

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V.

MICHAEL ISREAL,

Plaintiff

Case No. 14CVC01-959

VS.

JUDGE HOLBROOK

G-CORE AUTOMOTIVE CORP., et al.,

Defendants

MICHAEL ISREAL,

Plaintiff

Case No. 14CVC05-5354

VS.

Consolidated to
JUDGE HOLBROOK

STATE AUTO INSURANCE CO., et al.,

Defendants.

NOTICE OF STATUS CONFERENCE

Upon motion of Plaintiff, this matter shall come before the Court for a status conference on July 15, 2015 at 9:00 a.m.

IT IS SO ORDERED.

Copy via electronic notification to:

Michael Isreal Plaintiff pro se

Anna M. Wachtell, Esq. Counsel for Defendant G-Cor Automotive Corp. Franklin County Ohio Court of Appeals Clerk of Courts- 2017 Jan 25 2:37 PM-16AP000174 Franklin County Ohio Court of Appeals Clerk of Courts- 2017 Jan 25 11:44 AM-16AP000174

IN The Fire	Ali Conty Commen Plan
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OG884 - F45 Franklin County Ohio Clerk of Courts of the Common Pleus- 2016 Feb 01 1:33 PM-14CV000959

PRECEDENT CASE OF FIRST IMPRESSION

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

MICHAEL ISREAL,

Plaintiff

Case No. 14CVC 01-959

VS.

Judge Michael Holbrook

G-CORE AUTOMOTIVE CORP ., ET AL.,

Defendants

MICHAEL ISREAL,

VS.

Plaintiff,

Case No. 14CVC05-5354

Consolidated to
JUDGE HOLBROOK

STATE AUTO INSURANCE CO., et al.,

Defendants,

MOTION

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FREEDOM OF INFORMATION REQUEST

Exhibit 3)

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ATSUMEDIT OF DISCOLLECTION AND WEIGH

Short of the first of the first sections of the first of

On January 8, 2016, Plaintiff Michael Israal showed up at the franklin County Common Pleas Clerk's office to order a copy of the 2 certified copies of the July 15,2615 Status Conference. Clerk Goodknight informed Plaintiff Israal of Judge Michael Holbrooks visit to the clerks office and retrieval of 2 CDRs which were not returned as of January 8, 2016. Plaintiff Israal was instructed to go to Judge Holbrooks court room to ask Judge Holbrook about the 2 CDR's where abouts. Judge Holbrook collect the clerks office inquiring about as he stated "The two illegally recorded CDR's." The Clerk told Judge Folhrook while huwes on speaker phone fact that 2 CDR's had not been returned for checken back into the life room.

The lovegoing events load up to the present FOLA request.

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Franklin County Ohlo Clerk of Courts of the Common Pleas- 2016 Feb 01 1:33 PM-14CV000959

Niichael West 20 das Klaža Calemáns, Dhie 1,7200

Jenuary 31, 2th 5

Manyellen O'Shaughnessy Franklin Couaty Clerk 273 South High Street Columbus, Ohlo 43215

Re: Freedom of Information Request

Dear Sir or Madam!

The purpose of this letter is to request information pursuant to the Freedom Information Act (FOIA), S U.S.C. section 552. If this information is not available from your agency, please foward this request to the appropriate agency or advise me of the agencies which might have this information.

Please provide me with a copy of the following beauti

- A capy of the records sign-out form Judge Holbrook signed when he took the 2 confided CDRS (Jithle July 15, 2015 Status Conference from the clorks office on Graduer 27, 2015.
- X. A copy of the Storks record tigo-outsia latio.

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I am entioping via following to asset you in readisting your seeday:

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if any or all of the materials are withhicks under an FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from adocument or the complete withholding of a document,

Please contact me at the above address if you have any questions regarding this request. I can be contacted by phone at 614/537/3139 concerning any charge for the requested materials. My email address is: Mit4901812@sol.com.

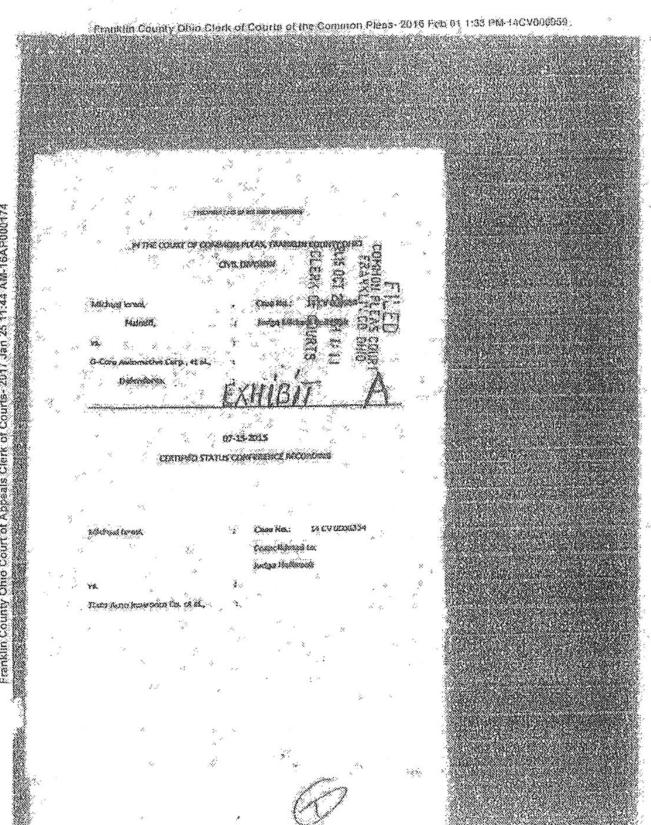
As provided for by section 552(a)(f)(a)(i) of the Freedom of Information Act, please provide your reply within (20) business days. Thanks for your prompt response to this mothers.

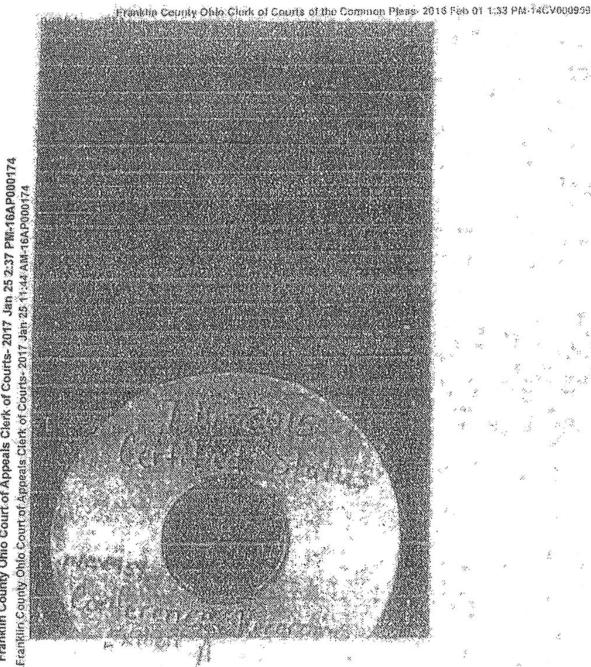
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IN THE COURT OF COMMON PLEAS FRANKLIN COUNTY, OHIO

Corrected Record

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VS.

Case Number: 16AP-175(14CV959)

G Core Automotive Corp

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I further sentify that this record has been transmitted to the Clark of the Tenth Clarkot Count of Appeal on this date:

08/30/2016

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Priority (new to display Ast)

PRECEDENT CASE OF FRIST PARMETERS

FURTHER AFFIANT SAYETH NAUGHT.

Michael Igreal

Sworn to before me and subscribed in my presence this 29th day of july

2016.

Notary Pubi

Mr roug 4,2000

CERTIFICATE OF SERVICE

RICHARD C. WEBER NOTARY PUBLIC, STATE OF OHIO My Commission Expires June 6, 20/9

I hereby certify that a true and correct copy of the foregoing has been furnished by regular U.S. mail to the following this 29th day of July IN THE YEAR OF THE LORD, 2016.

Judge Michael Holbrook Franklin County Clerk 373 S. High Street Columbus, Ohio 43215

Attorney Anna Wachtell 5910 Venture DR. Dublin, Ohio 43017 (614) 659-0119 Pro Se Michael Isreal P.O. Box 10694 Columbus, Ohio 43201

(614) 657/3139

Michael Israel E2578 VS U77 G. Core Automobive

CLERK OF COURTS RANKLIN COUNTY, OHIO

RECORDS DIVISION SIGN-OUT FORM STATE CASE NO: 14 CV 959 DATE OUT: 6-3-5165 DOCUMENT: 1 Exhibit CD DATE IN: TO: Appeals - Kelli Signments

SIGNATURE:

PCL XL error

Subsystem: IMAGE

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IN THE SUPREME COURT OF OHIO

16AP-174 16AP-175

STATE OF OHIO,

Common Pleas Case No. 14CV000959

Plaintiff,

From the Franklin County

V.

Court of Common Pleas

G-CORE AUTOMOTIVE CORP. ET AL.,

Supreme Court Case No. 16-AP-101

Defendants.

Judgment Entry

Plaintiff Michael Isreal has filed an affidavit with the clerk of this court under R.C. 2701.03 seeking to disqualify Judge Michael Holbrook from presiding over any further proceedings in the above-captioned case. This is the third affidavit of disqualification that Mr. Isreal has filed in the matter. His previous affidavits were denied in December 2014, see case No. 14-AP-098, and August 2016, see case No. 16-AP-066.

Mr. Isreal believes that record evidence in the underlying case has been tampered with or destroyed, and he alleges that Judge Holbrook is biased against him because the judge recently denied Mr. Isreal's motion requesting the trial court to provide a clear and complete record.

However, similar to Mr. Isreal's second affidavit of disqualification, he has failed to identify any matter currently pending before the judge against whom the affidavit was filed. Under R.C. 2701.03, "the chief justice cannot rule on an affidavit of disqualification when * * * nothing is pending before the trial court." In re Disqualification of Hayes, 135 Ohio St.3d 1221, 2012-Ohio-6306, 985 N.E.2d 501, ¶ 6.

Alternatively, even if a matter were pending, Mr. Isreal has not set forth sufficient grounds for disqualification. "[A] judge's adverse rulings, even erroneous ones, are not evidence of bias or prejudice." In re Disqualification of Fuerst, 134 Ohio St.3d 1267, 2012-Ohio-6344, 984 N.E.2d

1079, ¶ 14. And Mr. Isreal's suggestion that Judge Holbrook was somehow aware of or involved in tampering with evidence is vague and unsubstantiated. "Allegations that are based solely on hearsay, innuendo, and speculation—such as those alleged here—are insufficient to establish bias or prejudice." In re Disqualification of Flanagan, 127 Ohio St.3d 1236, 2009-Ohio-7199, 937 N.E.2d 1023, ¶ 4.

Finally, it must be noted that the statutory right to seek disqualification of a judge is an extraordinary remedy not to be used in a frivolous manner. Indeed, the filing of unsubstantiated and repeated affidavits of disqualification is contrary to the purpose of R.C. 2701.03 and a waste of judicial resources. Accordingly, Mr. Isreal is cautioned that the filing of any further frivolous, unsubstantiated, or repeated affidavits of disqualification may result in the imposition of appropriate sanctions. See In re Disqualification of Browne, 136 Ohio St.3d 1279, 2013-Ohio-4468, 996 N.E.2d 944, ¶ 8.

The affidavit of disqualification is denied.

Dated this 8th day of December, 2016.

MAUREEN O'CONNOR Chief Justice 540. 2558 w. 458 W. Bishill Buck Ball La V 184 . 45.

Copies to:

Sandra H. Grosko, Clerk of the Supreme Court

Hon. Michael Holbrook

Franklin County Clerk of Courts

Michael Isreal David Caborn Stephen Merriam

IN THE COURT OF COMMON PLEAS FRANKLIN COUNTY, OHIO

Corrected Record

Michael Isreal	
vš	Case Number: 16AP-175(14CV959)
G Core Automotive Corp	
	e Common Pleas Court, in and for said County, do hereby f the corrected docket and journal entries of the Trial Court.
further certify that this record has been on this date:	transmitted to the Clerk of the Tenth District Court of Appeal
08/30/2016	
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	* *
Maryellen O'Shaughnessy	£

Revised and Approved by Legal Operations 2/2016

Clerk Franklin County Ohio Gov 614.525.3600

FranklinCountyAutoTille.com 614.525.3090

IN THE SUPREME COURT OF OHIO

Michael Isreal,

Plaintiff-Appellant

Case No.

On discretionary appeal from the Franklin County Court of Appeals, 10th Appellate District, Case No. 16 APE-03-174 and 175

Vs.

State Auto Insurance Co and

G-Core Automotive Corp. et al.,

Defendants-Appellees,

MAILED TO the CFO (10 WING This som don of January In The Year of The Port 2017

David Caborn 6265 Riverside Dr. Dublin, Ohio 43017 Attorney for State Auto Ins. Michael Isreal P.O. Box 10694 Columbus, Ohio 43201 Pro se Stephen Merriam 6000 Lombardo Seven Hills Oh 44131 Attorney for G-Core

FRANKLIN COUNTY COUNT OF APPEALS

Michola

Franklin County Onlo Clark of Courts of the Common Pleas- 2016 Peb 01 1:33 PM-14CV000959 - F54

SERVICE

Mailed to: THIS 31st DAY OF JANUARY IN THE YEAR OF THE LORD 2016

MARYELLEN O'SHAUGHNESSY FRANKLIN COUNTY CLERK 273 SOUTH HIGH STREET COLUMBUS, OHIO 43215

STEPHEN MERRIAM 6000 LOMBARDO CENTER SEVEN HILLS, OH 44131

David CABORN 6265 RIVERSIDE DR. DUBLIN, OH 4301

MICHAEL ISREAL P.O. BOX 10694 COLUMBUS, OHIO 43201 614-657-3139

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