

Case No. 17-1281

**In the Supreme Court
of the State of Ohio**

The State of Ohio, on relation of
Brian J. Farmer, citizen,

Relator,

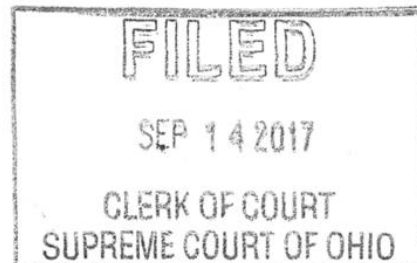
v.

Patricia Delaney, *et. al.*,
Respondents

COMPLAINT FOR WRIT OF MANDAMUS

Brian J. Farmer
3859 Martinsburg Rd.
Gambier, OH 43022
740-627-0741
bjfarmer@hughes.net

Relator, pro se



In the Supreme Court of the State of Ohio

State of Ohio, *ex rel.*
Brian J. Farmer
3859 Martinsburg Rd.
Gambier, OH 43022

Case No. _____

Relator,

v.

COMPLAINT FOR
WRIT OF MANDAMUS

Patricia Delaney, Judge
5th District Court of Appeals
110 Central Plaza S # 320,
Canton, OH 44702

and

Craig Baldwin, Judge
5th District Court of Appeals
110 Central Plaza S # 320,
Canton, OH 44702

and

John Wise, Judge
5th District Court of Appeals
110 Central Plaza S # 320,
Canton, OH 44702

and

David Lashley, Bailiff,
Knox County Sheriff's Office
11540 Upper Gilchrist Rd,
Mt Vernon, OH 43050

and

Richard Wetzel, Judge
Knox County Common Pleas Court
111 E High St,
Mt Vernon, OH 43050

and

John/Jane Doe, Prosecutor, TBD
Address Unknown at this time

Respondents.

The State of Ohio, by and through citizen Brian J. Farmer, and in support of its claim for the issuance of a writ of mandamus, alleges as follows:

1. Judge Patricia Delaney is a judge of a court of record with jurisdiction over Knox County, Ohio.
2. Judge Craig Baldwin is a judge of a court of record with jurisdiction over Knox County, Ohio.
3. Judge John Wise is a judge of a court of record with jurisdiction over Knox County, Ohio.
4. Ohio RC 2935 allows for a citizen with knowledge of a felony to file an affidavit with a judge of a court of record for review.
5. Hearing testimony and accepting affidavits alleging criminal activity, for the purpose of reviewing and issuing warrants for prosecution is a duty of a judge.
6. On August 24, 2017 Judge Patricia Delaney did refuse to allow Brian J. Farmer to file an affidavit with her.
7. Such action by Judge Patricia Delaney is Obstruction of Justice, a felony, Dereliction of Duty, a misdemeanor, and negligence.
8. The US Constitution provides for the removal of any judge of any court who commits negligence.
9. Judge John Wise is a judge of a court of record with jurisdiction over Knox County, Ohio.
10. On August 24, 2017 Judge John Wise did refuse to allow Brian J. Farmer to file an affidavit with him.
11. Such action by Judge John Wise is Obstruction of Justice, a felony, Dereliction of Duty, a misdemeanor, and negligence.
12. On August 24, 2017 Judge Craig Baldwin did refuse to allow Brian J. Farmer to file an affidavit with him.
13. Such action by Judge Craig Baldwin is Obstruction of Justice, a felony, Dereliction of Duty, a misdemeanor, and negligence.

14. David Lashley is employed by the Knox County Sheriff's Office and is a Bailiff for the Knox County Common Pleas Court.

15. David Lashley operates a martial arts studio and is a black belt in karate and jui jitsu, and tries to intimidate people when he talks to them.

16. Bailiff David Lashley did personally witness Judges Patricia Delaney, Craig Baldwin, and John Wise refuse to allow a citizen with knowledge of a felony to file an affidavit pursuant to RC 2935.

17. Bailiff David Lashley did prevent Brian J. Farmer from approaching Judges Delaney, Wise, and Baldwin for the purpose of filing affidavits pursuant to RC 2935.

18. Judges Patricia Delaney, John Wise, Craig Baldwin and Bailiff David Lashley did prevent Brian J. Farmer from filing affidavits pursuant to RC 2935 to aid in the discovery, apprehension, or prosecution.

19. As a law enforcement officer, it is David Lashley's duty to arrest and charge individuals who commit crimes in his presence.

20. Bailiff David Lashley did fail to arrest and charge Judges Delaney, Baldwin, and Wise with Obstruction of Justice and Dereliction of Duty for refusing to allow Brian J. Farmer to file affidavits pursuant to RC 2935.

21. Warren Edstrom, 27400 Cavallo Rd., Danville, OH 43014, 330-231-4312, did tell Brian J. Farmer that Warren attempted to file an affidavit pursuant to RC 2935 with Knox County Common Pleas Court Judge Richard Wetzel, who refused to accept the affidavit.

CAUSE OF ACTION

Revised Code 2935.09 provides for a citizen with knowledge of a felony to file an affidavit and present evidence to a judge of a court of record for review, seeking an arrest and prosecution.

Revised Code 2921.32 prohibits anyone from preventing someone from performing an act to aid in the discovery, apprehension, or prosecution of an alleged criminal.

Revised Code 2921.44 prohibits a law enforcement officer from failing to apprehend an offender, and also prohibits any judicial officer from performing any lawful duty in any case or proceeding.

The Ohio Constitution, Article 4, Section 5(A)3 provides for the Supreme Court to assign any judge to temporarily sit in as a common pleas court judge.

The US Constitution, Article 3, Section provides that judges of inferior courts can only hold their offices during times of good behavior. Negligence in office was something the founders feared, and they opted to use the language good behavior instead of negligence, but negligence was something they wanted judges to be removed for.

WHEREFORE, the State of Ohio, by and on relation of Brian J. Farmer, hereby demands that judgement be rendered as follows:

A. That this court find a judge of a court of record who will allow Brian J. Farmer (and Warren Edstrom) to file affidavits of felonies they have knowledge of. Brian J. Farmer does not care if this court appoints a judge to temporarily sit in Knox County or if any one (or all) of the justices of this Supreme Court will grant Brian J. Farmer the opportunity to present the evidence he has and to file his affidavits for review. (The Justices of the Ohio Supreme Court are judges of a court of record, and Brian J. Farmer is perfectly willing to come back to Columbus and present his evidence and testimony to them if they are willing to hear him.)

B. That this court find a prosecutor who will investigate and prosecute Judge Patricia Delaney, Judge John Wise, Judge Craig Baldwin, Judge Richard Wetzel, and Bailiff David Lashley for Dereliction of Duty and Obstruction of Justice.

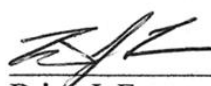
C. That this court take appropriate action to have Judge Richard Wetzel, Judge Patricia Delaney, Judge Craig Baldwin, and Judge John Wise removed from office for negligence by preventing citizens from filing affidavits pursuant to RC 2935.

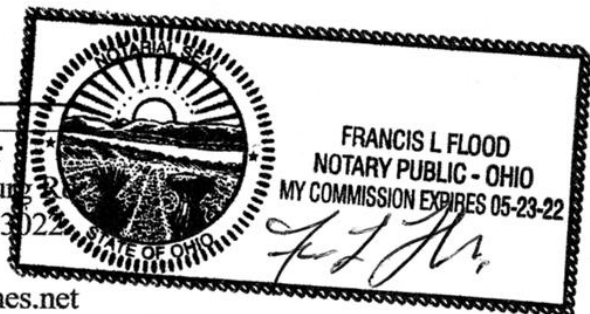
D. That this court appoint an independent prosecutor to investigate and prosecute the felonies Brian J. Farmer has knowledge of, as he has evidence of violations of law among Knox county government officials.

E. An award of Relator's costs and fees.

F. An award of any such other relief to which the Relator (or any Ohio citizens) may be entitled to, in law or in equity.

Respectfully submitted,


Brian J. Farmer
3859 Martinsburg Rd
Gambier, OH 43022
740-627-0741
bjfarmer@hughes.net
Relator, pro se



AFFIDAVIT

I, Brian J. Farmer, being first duly sworn according to law, hereby depose and state that I have personal knowledge of the following facts:

1. I am a citizen of Ohio and who presently lives in Knox County.
2. On August 24, 2017 the 5th District Court of Appeals heard appeals at the Knox County Courthouse in Mt. Vernon, Ohio.
3. Justices Patricia Delaney, John Wise, and Craig Baldwin were the justices hearing appeals.
4. I was in the visitor's area of the courtroom during the arguments.
5. At approximately 11:20 am, Justice Delaney announced that the appeals cases were concluded.
6. I walked up to the railing at the front of the visitor area and asked, "Your honors, may I approach?"
7. Bailiff David Lashley quickly jumped in front of me in an aggressive and intimidating manner and told me, "No, you can't."
8. Justice Delaney told the bailiff to hold on and see what I wanted.
9. I explained to the bailiff that RC 2935 says that any citizen with knowledge that a felony has been committed may file an affidavit with a judge of a court of record, and I had evidence of several felonies, including bribery committed by Knox County Prosecutor, Charles "Chip" McConville.
10. This is the same Charles "Chip" McConville who used to work for the Chamber of Commerce, and who was responsible for the advertising smear campaign attempting to prevent Supreme Court Justice Alice Robie Resnick from being re-elected in 2000.
11. Bailiff David Lashley ordered me to leave the courtroom while he talked to the judges.
12. I waited out in the hall, and a few minutes later Bailiff Lashley came out and told me the judges didn't want to talk to me.
13. Warren Edstrom is a former elected school board member, and he told me that he attempted to file an affidavit with Knox County Common Pleas Court judge Richard Wetzel, because Warren had been threatened if he voted a certain way. Warren told me that Richard Wetzel refused to allow him to file an affidavit.

FURTHER AFFIANT SAYETH NAUGHT.



Brian J. Farmer

SWORN TO BEFORE ME and subscribed in my presence this 14th day of
September, 2017.

Francis Flood
Notary Public

