

Transcript of Docket and Journal Entries
Court of Common Pleas of Summit County Ohio

Action For: NOTICE OF APPEAL

CA-29298

Filed Date: 1/22/2019

Name	Address	Attorney	Attorney Address
STATE OF OHIO (PLTF/APPELLEE)		HEAVEN ROSE DIMARTINO	53 University Ave., 7th Fl Akron, OH 44308

Name	Address	Attorney	Attorney Address
CLARENCE L. LEYH (DEFT/APPELLANT)		THOMAS J MCGUIRE ADDISON SPRIGGS	P.O. Box 1261 Elyria, OH 44036 250 E. Broad St. Suite 1400 columbus, OH 43215

Other Party	Other Party Address	Other Party Attorney	Other Party Attorney Address
THE SUPREME COURT OF OHIO			

Docket:

	File Date	Pleading Text	Filed By
✓ 1	01/22/2019	MOTION TO APPOINT COUNSEL	THOMAS J MCGUIRE
✓ 2	01/22/2019	JUDGEMENT 12-21-18	THOMAS J MCGUIRE
✓ 3	01/22/2019	NOTICE OF APPEAL FILED	THOMAS J MCGUIRE
✓ 4	01/22/2019	DOCKETING STATEMENT FILED (SECOND PARAGRAPH)	THOMAS J MCGUIRE
✓ 5	01/23/2019	NOTICE OF FILING OF APPEAL ISSUED JACKSON, ELISABETH C.	THOMAS J MCGUIRE
6	01/23/2019	Regular Mail Service - Mailed ELISABETH C. JACKSON	THOMAS J MCGUIRE

Transcript of Docket and Journal Entries
Court of Common Pleas of Summit County Ohio

✓ 7	01/25/2019	TRANSCRIPT OF DOCKET	SUMMIT COUNTY CLERK OF COURTS
✓ 8	01/30/2019	NOTICE OF APPEARANCE	HEAVEN ROSE DIMARTINO
✓ 9	02/05/2019	JOURNAL ENTRY FILED. ATTORNEY THOMAS MCGUIRE, COUNSEL FOR APPELLANT, HAS MOVED THE COURT TO APPOINT NEW COUNSEL, STATING THAT HE WAS APPELLANT'S TRIAL COUNSEL. ACCORDING TO THIS COURT LOC.R.11(B), HOWEVER, A REQUEST FOR APPOINTMENT OF COUNSEL MUST FIRST BE MADE TO THE TRIAL COURT. THEREFORE, THE MOTION IS DENIED. THE RECORD IN THIS MATTER IS DUE MARCH 4, 2019. MAGISTRATE C. MICHAEL WALSH	CLARENCE L. LEYH
✓ 10	02/05/2019	APPEALS RULE 30 NOTICE DIMARTINO, HEAVEN ROSE	CLARENCE L. LEYH
✓ 11	02/05/2019	APPEALS RULE 30 NOTICE MCGUIRE, THOMAS J	CLARENCE L. LEYH
12	02/05/2019	Regular Mail Service - Mailed HEAVEN ROSE DIMARTINO	CLARENCE L. LEYH
13	02/05/2019	Regular Mail Service - Mailed THOMAS J MCGUIRE	CLARENCE L. LEYH
✓ 14	03/05/2019	RECORD-TRANSCRIPT OF DOCKET & JOURNAL ENTRIES FILED. ATTORNEYS NOTIFIED.	CLARENCE L. LEYH
✓ 15	03/05/2019	APPEALS RECORD OF NOTICE OF FILING DIMARTINO, HEAVEN ROSE	CLARENCE L. LEYH
✓ 16	03/05/2019	APPEALS RECORD OF NOTICE OF FILING MCGUIRE, THOMAS J	CLARENCE L. LEYH
17	03/05/2019	Regular Mail Service - Mailed HEAVEN ROSE DIMARTINO	CLARENCE L. LEYH
18	03/05/2019	Regular Mail Service - Mailed THOMAS J MCGUIRE	CLARENCE L. LEYH
✓ 19	03/24/2019	CERTIFICATION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF	THOMAS J MCGUIRE
✓ 20	04/12/2019	BRIEF OF APPELLANT	THOMAS J MCGUIRE
✓ 21	05/01/2019	CERTIFICATION OF EXTENSION OF TIME	HEAVEN ROSE DIMARTINO
✓ 22	05/20/2019	MOTION TO STRIKE ATTACHMENT TO APPELLANT'S BRIEF	HEAVEN ROSE DIMARTINO
✓ 23	05/21/2019	BRIEF OF APPELLEE-STATE OF OHIO	HEAVEN ROSE DIMARTINO
✓ 24	05/22/2019	APPEALS RULE 30 NOTICE DIMARTINO, HEAVEN ROSE	CLARENCE L. LEYH
✓ 25	05/22/2019	APPEALS RULE 30 NOTICE MCGUIRE, THOMAS J	CLARENCE L. LEYH

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Court of Common Pleas of Summit County Ohio

26	05/22/2019	Regular Mail Service - Mailed HEAVEN ROSE DIMARTINO	CLARENCE L. LEYH
27	05/22/2019	Regular Mail Service - Mailed THOMAS J MCGUIRE	CLARENCE L. LEYH
✓ 28	05/22/2019	MAGISTRATE'S ORDER APPELLEE'S MOTION IS GRANTED, AND THE NON-COMPLYING APPENDIX ATTACHMENTS (APPENDIX A-2) ARE STRICKEN. MAGISTRATE WALSH	CLARENCE L. LEYH
✓ 29	05/31/2019	APPEALS RULE 30 NOTICE DIMARTINO, HEAVEN ROSE	STATE OF OHIO
✓ 30	05/31/2019	APPEALS RULE 30 NOTICE MCGUIRE, THOMAS J	STATE OF OHIO
✓ 31	05/31/2019	CASE WAS SUBMITTED FOR CONSIDERATION ON THURSDAY JULY 11, 2019. THE DECISION WILL BE POSTED ON THE OHIO SUPREME COURT'S WEBSITE MAGISTRATE WALSH	STATE OF OHIO
32	06/03/2019	Regular Mail Service - Mailed HEAVEN ROSE DIMARTINO	STATE OF OHIO
33	06/03/2019	Regular Mail Service - Mailed THOMAS J MCGUIRE	STATE OF OHIO
✓ 34	09/11/2019	APPEALS RULE 30 NOTICE GUEST, HEAVEN ROSE	CLARENCE L. LEYH
✓ 35	09/11/2019	APPEALS RULE 30 NOTICE MCGUIRE, THOMAS J	CLARENCE L. LEYH
36	09/11/2019	Regular Mail Service - Mailed HEAVEN ROSE GUEST	CLARENCE L. LEYH
37	09/11/2019	Regular Mail Service - Mailed THOMAS J MCGUIRE	CLARENCE L. LEYH
✓ 38	09/11/2019	DECISION AND JOURNAL ENTRY MR. LEYH'S ASSIGNMENT OF ERROR IS OVERRULED. THE JUDGEMENT OF THE SUMMIT COUNTY COURT OF COMMON PLEAS IS AFFIRMED. ADDITIONAL REQUIREMENTS DETAILED IN ORDER. COSTS TAXED TO APPELLANT. JUDGE FOR THE COURT: SCHAFER CONCUR: JUDGE TEODOSIO AND JUDGE HENSAL	CLARENCE L. LEYH
39	10/23/2019	CASE COSTED THRU	CLARENCE L. LEYH
✓ 40	11/13/2019	APPELLANT CLARENCE L. LEYH'S APPLICATION TO REOPEN WITH MEMORANDUM IN SUPPORT	ADDISON SPRIGGS
✓ 41	02/19/2020	APPEALS RULE 30 NOTICE SPRIGGS, ADDISON	CLARENCE L. LEYH
✓ 42	02/19/2020	APPEALS RULE 30 NOTICE GUEST, HEAVEN ROSE	CLARENCE L. LEYH
✓ 43	02/19/2020	APPEALS RULE 30 NOTICE MCGUIRE, THOMAS J	CLARENCE L. LEYH

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Court of Common Pleas of Summit County Ohio

44	02/19/2020	Regular Mail Service - Mailed ADDISON SPRIGGS	CLARENCE L. LEYH
45	02/19/2020	Regular Mail Service - Mailed HEAVEN ROSE GUEST	CLARENCE L. LEYH
46	02/19/2020	Regular Mail Service - Mailed THOMAS J MCGUIRE	CLARENCE L. LEYH
✓ 47	02/19/2020	JOURNAL ENTRY MR. LEYH'S APPLICATION FOR REOPENING IS DENIED. ADDITIONAL REQUIREMENTS DETAILED IN ORDER. JUDGE: SCHAFER CONCUR: JUDGE TEODOSIO DISSENT: JUDGE HENSAL	CLARENCE L. LEYH
✓ 48	02/27/2020	APPELLANT CLARENCE L. LEYH'S APPLICATION FOR RECONSIDERATION AND EN BANC CONSIDERATION	ADDISON SPRIGGS
✓ 49	06/05/2020	APPEALS RULE 30 NOTICE SPRIGGS, ADDISON	CLARENCE L. LEYH
✓ 50	06/05/2020	APPEALS RULE 30 NOTICE DIMARTINO, HEAVEN ROSE	CLARENCE L. LEYH
✓ 51	06/05/2020	APPEALS RULE 30 NOTICE MCGUIRE, THOMAS J	CLARENCE L. LEYH
52	06/05/2020	Regular Mail Service - Mailed ADDISON SPRIGGS	CLARENCE L. LEYH
53	06/05/2020	Regular Mail Service - Mailed HEAVEN ROSE DIMARTINO	CLARENCE L. LEYH
54	06/05/2020	Regular Mail Service - Mailed THOMAS J MCGUIRE	CLARENCE L. LEYH
✓ 55	06/05/2020	JOURNAL ENTRY MR. LEYH'S APPLICATION FOR RECONSIDERATION AND APPLICATION FOR EN BANC CONSIDERATION ARE DENIED. ADDITIONAL REQUIREMENTS DETAILED IN ORDER. JUDGE: SCHAFER CONCUR: JUDGE TEODOSIO DISSENT: JUDGE HENSAL	CLARENCE L. LEYH
✓ 56	07/09/2020	***2020-0819***NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO FILED	THE SUPREME COURT OF OHIO
✓ 57	09/04/2020	***2020-0819*** UPON CONSIDERATION OF THE JURISDICTIONAL MEMORANDA FILED IN THIS CASE, THE COURT ACCEPTS THE APPEAL. CHIEF JUSTICE: MAUREEN O'CONNOR	THE SUPREME COURT OF OHIO

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Court of Common Pleas of Summit County Ohio

✓ 58	09/04/2020	***2020-0819***ORDER TO CERTIFY RECORD TO THE SUPREME COURT OF OHIO CHIEF JUSTICE: MAUREEN O'CONNOR	THE SUPREME COURT OF OHIO
✓ 59	09/04/2020	CERTIFICATE TO TRANSMIT RECORD TO SUPREME COURT	THE SUPREME COURT OF OHIO

Service:

Issued Date	Number	Service Type	Status	Served On	Party Name
1/23/2019		Regular Mail	Mailed		JACKSON, ELISABETH C.
2/5/2019		Regular Mail	Mailed		DIMARTINO, HEAVEN ROSE
2/5/2019		Regular Mail	Mailed		MCGUIRE, THOMAS J
3/5/2019		Regular Mail	Mailed		DIMARTINO, HEAVEN ROSE
3/5/2019		Regular Mail	Mailed		MCGUIRE, THOMAS J
5/22/2019		Regular Mail	Mailed		DIMARTINO, HEAVEN ROSE
5/22/2019		Regular Mail	Mailed		MCGUIRE, THOMAS J
6/3/2019		Regular Mail	Mailed		DIMARTINO, HEAVEN ROSE
6/3/2019		Regular Mail	Mailed		MCGUIRE, THOMAS J
9/11/2019		Regular Mail	Mailed		DIMARTINO, HEAVEN ROSE
9/11/2019		Regular Mail	Mailed		MCGUIRE, THOMAS J
2/19/2020		Regular Mail	Mailed		SPRIGGS, ADDISON
2/19/2020		Regular Mail	Mailed		DIMARTINO, HEAVEN ROSE
2/19/2020		Regular Mail	Mailed		MCGUIRE, THOMAS J
6/5/2020		Regular Mail	Mailed		SPRIGGS, ADDISON
6/5/2020		Regular Mail	Mailed		DIMARTINO, HEAVEN ROSE
6/5/2020		Regular Mail	Mailed		MCGUIRE, THOMAS J

Transcript of Docket and Journal Entries
Court of Common Pleas of Summit County Ohio

The State of Ohio, Summit County

I, the undersigned, Clerk of Courts of Common Pleas, in and for said County, do hereby certify that the foregoing is a true transcript of the Docket and Journal Entries and all the Proceeding of said Court in the above entitled case.

IN TESTIMONY WHERE OF, I have hereunto set my hand and affixed the seal of said Court, at the Court House in Akron, Ohio on 9/9/2020

SUMMIT COUNTY CLERK OF COURTS

_____, Deputy Clerk

Transcript of Docket and Journal Entries
Court of Common Pleas of Summit County Ohio

Action For: ADULT CRIMINAL

CR-2018-03-1036

Filed Date: 3/28/2018

Plaintiff	Plaintiff Address	Plaintiff Attorney	Plaintiff Attorney Address
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STATE OF OHIO	53 University Ave Akron, OH 44308		
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Defendant	Defendant Address	Defendant Attorney	Defendant Attorney Address
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CLARENCE L. LEYH		THOMAS J MCGUIRE	P.O. Box 1261 Elyria, OH 44036
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Docket:

	File Date	Pleading Text	Filed By
✓	1 03/28/2018	DIRECT INDICTMENT INFORMATION SHEET	STATE OF OHIO
✓	2 04/04/2018	PRETRIAL SUPERVISION PROGRAM CONDITIONS	STATE OF OHIO
✓	3 05/02/2018	INDICTMENT FILED - ARR 5/9	STATE OF OHIO
✓	4 05/02/2018	SUMMONS ISSUED LEYH, CLARENCE L.	CLARENCE L. LEYH
✓	5 05/08/2018	AUTHORIZATION RLSE. OF INFORMATION PRETRIAL	STATE OF OHIO
✓	6 05/09/2018	5/9 ARRAIGNMENT CONTINUED 5/11 8AM - KSO	STATE OF OHIO
✓	7 05/17/2018	5/11 JOURNAL ENTRY OF ARRAIGNMENT: PT 5/21 AT 8:30 AM. KSO	STATE OF OHIO
✓	8 05/18/2018	05/16 JOURNAL ENTRY- PT 05/21 @ 8:30 A.M. CC	STATE OF OHIO
✓	9 05/18/2018	CASE TRANSFERRED FROM BARBERTON MUNI CT	STATE OF OHIO
✓	10 05/18/2018	BARBERTON MUNI BOND FILED	STATE OF OHIO
✓	11 05/18/2018	BARBERTON MUNI COURT COSTS	STATE OF OHIO
✓	12 05/18/2018	TEMPORARY PROTECTION ORDER - BARBERTON	STATE OF OHIO

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Court of Common Pleas of Summit County Ohio

✓13	05/21/2018	BOND ORDER: \$25k; 10%; NO CONTACT; MAX PTS; GPS MONITORING (IF BOND IS POSTED)	STATE OF OHIO
14	05/22/2018	Sheriff Service - Served CLARENCE L. LEYH	CLARENCE L. LEYH
✓15	05/22/2018	PRETRIAL SUPERVISION PROGRAM CONDITIONS	STATE OF OHIO
✓16	05/23/2018	5/21 JOURNAL ENTRY- PT CONT'D 6/18 830AM. CC	STATE OF OHIO
✓17	05/25/2018	AUTHORIZATION FOR RELEASE	SUMMIT COUNTY CLERK OF COURTS
✓18	05/25/2018	10% BOND	SUMMIT COUNTY CLERK OF COURTS
✓19	06/18/2018	SUBPOENA ISSUED: AKRON CHILDREN'S HOSPITAL CARE CENTER	STATE OF OHIO
✓20	06/18/2018	ORDER FOR MEDICAL RECORDS. CC (TS)	STATE OF OHIO
✓21	06/22/2018	6/18 ORDER OF CONTINUANCE: PT 6/25 830AM - CC/SS	STATE OF OHIO
✓22	06/27/2018	6/25 ORDER OF CONTINUANCE. CC (MR)	STATE OF OHIO
✓23	07/17/2018	7/16 JOURNAL ENTRY- FINAL PT 8/27 830AM.	STATE OF OHIO
✓24	07/30/2018	SUBPOENA ISSUED: CHILD A.L. (SS)	STATE OF OHIO
✓25	07/30/2018	SUBPOENA ISSUED: D ABBOTT (SS)	STATE OF OHIO
✓26	07/30/2018	SUBPOENA ISSUED: M LOVETT (SS)	STATE OF OHIO
✓27	07/30/2018	SUBPOENA ISSUED: D HELMICK (SS)	STATE OF OHIO
✓28	08/28/2018	8/27 JOURNAL ENTRY - JURY TRIAL SET 9/12 AT 9AM. BOND MODIFICATION IS TAKEN UNDER ADVISEMENT. CC (RW)	STATE OF OHIO
✓29	09/14/2018	9/12 JOURNAL ENTRY- TRIAL CONT'D 11/7 1PM. CC (mr)	STATE OF OHIO
✓30	10/19/2018	SUBPOENA ISSUED: M. LOVETT	STATE OF OHIO
✓31	10/19/2018	SUBPOENA RETURNED: M. LOVETT	STATE OF OHIO
✓32	10/19/2018	SUBPOENA ISSUED: CHILD A. L.	STATE OF OHIO
✓33	10/19/2018	SUBPOENA RETURNED: CHILD A. L.	STATE OF OHIO
✓34	10/19/2018	SUBPOENA ISSUED: D. ABBOTT	STATE OF OHIO
✓35	10/19/2018	SUBPOENA RETURNED: D. ABBOTT	STATE OF OHIO
✓36	10/19/2018	SUBPOENA ISSUED: D. HELMICK	STATE OF OHIO
✓37	10/19/2018	SUBPOENA RETURNED: D. HELMICK	STATE OF OHIO

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Court of Common Pleas of Summit County Ohio

✓ 38	11/06/2018	11/5 JOURNAL ENTRY OF PLEA- SENT'G 12/10 830AM. CC (mr)	STATE OF OHIO
✓ 39	12/10/2018	12/7 JOURNAL ENTRY - SENTG 12/17 830AM - CC (SS)	STATE OF OHIO
✓ 40	12/17/2018	EXPLANATION OF DUTIES - REGISTER SEX OFFENDER (SS)	STATE OF OHIO
✓ 41	12/19/2018	RECALL TEMPORARY PROTECTION ORDER - CC (SS)	STATE OF OHIO
✓ 42	12/21/2018	12/17 DISPOSITION- GUILTY OF 4 COUNTS OF GROSS SEXUAL IMPOSITION, ALL 4th DEGREE FELONIES & 2 COUNTS OF SEXUAL IMPOSITION, BOTH 3rd DEGREE MISDEMEANORS. SENT'D TO A TOTAL OF 4 YRS INCARCERATION. COSTS WAIVED. TIER I SEX OFFENDER/ CHILD VICTIM REGISTRANT. CC (mr)	STATE OF OHIO
✓ 43	12/21/2018	NOTICE JACKSON, ELISABETH C.	CLARENCE L. LEYH
✓ 44	12/21/2018	NOTICE MCGUIRE, THOMAS JEREMIAH	CLARENCE L. LEYH
45	12/21/2018	THIS ENTRY WAS ENTERED IN ERROR	CLARENCE L. LEYH
46	12/21/2018	THIS ENTRY WAS ENTERED IN ERROR	CLARENCE L. LEYH
✓ 47	12/21/2018	WARRANT TO CONVEY ISSUED LEYH, CLARENCE L.	CLARENCE L. LEYH
48	12/26/2018	DISPOSITION ELECTRONICALLY SENT TO BCI (mr)	STATE OF OHIO
49	01/09/2019	**COSTS WAIVED	SUMMIT COUNTY CLERK OF COURTS
✓ 50	01/22/2019	NOTICE OF APPEAL FILED	
✓ 51	01/22/2019	DOCKETING STATEMENT FILED	
52	01/28/2019	Sheriff Service - Served CLARENCE L. LEYH	CLARENCE L. LEYH
✓ 53	02/11/2019	MOTION TO APPOINT APPELLANT COUNSEL	THOMAS J MCGUIRE
✓ 54	02/13/2019	2/12 ORDER DENYING MOTION, SEE IMAGE. CC (RW)	STATE OF OHIO
✓ 55	07/23/2019	LETTER (mr)	STATE OF OHIO
✓ 56	09/11/2019	DECISION AND JOURNAL ENTRY FROM COURT/APPEALS. JAS, (RW)	STATE OF OHIO

Service:

Transcript of Docket and Journal Entries
Court of Common Pleas of Summit County Ohio

Issued Date	Number	Service Type	Status	Served On	Party Name
5/2/2018		Sheriff	Served	5/11/2018	LEYH, CLARENCE L.
12/26/2018		Email	Issued		JACKSON, ELISABETH C.
12/26/2018		Email	Issued		MCGUIRE, THOMAS J
12/26/2018		Email	Issued		JACKSON, ELISABETH C.
12/26/2018		Email	Issued		MCGUIRE, THOMAS J
12/26/2018		Sheriff	Served	12/31/2018	LEYH, CLARENCE L.

The State of Ohio, Summit County

I, the undersigned, Clerk of Courts of Common Pleas, in and for said County, do hereby certify that the foregoing is a true transcript of the Docket and Journal Entries and all the Proceeding of said Court in the above entitled case.

IN TESTIMONY WHERE OF, I have hereunto set my hand and affixed the seal of said Court, at the Court House in Akron, Ohio on 9/10/2020

SUMMIT COUNTY CLERK OF COURTS

_____, Deputy Clerk