

Date: June 14th, 2022

To The Supreme Court Of Ohio

Jerry Jermaine Hetlin : Case No. #
Relator, : 2022-0584

V.

Lucas County Common Pleas : Motion Of Rebuttal
Court. : Pursuant To Objection
Respondent, : In-part.

FILED

JUL 01 2022

CLERK OF COURT
SUPREME COURT OF OHIO

Motion Of Rebuttal, Pursuant To Objection
In-part, Of "Answers Of Respondents",
Lucas County Common Pleas Court.

Jerry Jermaine Hetlin,
636-306

Richland Correctional Inst.
P.O. Box 8107
Mansfield, Ohio
44905

Julia L. Bates, Prosecutor,
Jason A. Hill, Ct. Admin.
John A. Berell, Counsel
For Lucas County,
700 Adams Street,
Suite #250
Toledo, Ohio, 43624

Relator - Pro-Se:

Respondents:

Total Pages (19).

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CLERK OF COURT

Herein And Quoting The Respondents,
"For their answer to the petition for a Writ
Of Mandamus and a Writ of Procedendo,
Respondents Lucas County Common Pleas Court
and Lucas County Clerk of Courts (Lucas
County Respondents) allege and [aver] as
follows:

(Citing) "Aver"; Alleged, assert; also: Declare,
As defined. This Respondents Choice of this
Wording Is Pursuant To The Following: Thus
In favor Of The Relator, Mr. Heflin's,
Petition's.

Here Within The Respondents, Julia R. Bates
Prosecutor, And Jason A. Hill Court Administrator,
And John A. Borrell Counsel for Lucas County,
Respondents.; the Relator And/or Inmate, As
Jerry Jermaine Heflin, has been reference-ed.
He Furthermore [Concurred] with the
Respondents [Fourth Defense], as they have
Stated it.

(Citing) And Quoting.; ["He has an (adequate) remedy
at law for the issues and remedies Contained
in the Petition"].

The Relator, Jerry Jermaine Hetlin, Also Concurred (In-Part) of the Respondents [Sixth Defense] as they have also Stated.

Thus - (Citing) And Quoting.; "And that they be granted all relief that the are entitled to, including attorney fees."

These Statements Made Thereby The Respondents, In Favor Of The Relator, Jerry Jermaine Hetlin, have been Established Explicitly, Herewithin There Own "Answer of Respondents".

But the Relator, Mr. Hetlin, Explicitly Rebutes Any And All Other "Aver" Statements of the Respondents, [Defenses First Through Sixth], that He Has Not Concurred With Herein.

And More-Over Any And All Other "Aver" Statements of [Defenses First Through Sixth], that the Relator Has Not Concurred with Are Erroneous And Defrauding.

These Acts and/or Actions of the Respondents Are Furthermore [Frivolous And Retaliatory And, Fraudulent].

The Respondent's "Aver" Statements, Are the established results of Aiding And Abetting thereby Prosecutor, Julia R. Bates.

Thus Demonstrating Patent And Latent Ambiguity Continuously and through-out her attempts to Conceal A Wrongful Conviction, Committed Against the Relator, Jerry Termaine Hetlin, with the Aid of her husband Judge, James D. Bates, And her Clerk of Court And Administrative Staff Of the Lucas County Common Pleas Court.

The Gravity Of Prosecutor, Julia R. Bates, Defrauding Tactic's Have Reached, The [Deliberate Ambiguity] Level's.

And Furthermore the Respondent's Practice To Deceive, Now Produce's Technicality Defaults there within Respondent's Own ["Answers of Respondents"] Therefore The Lucas County Common Pleas Court And The Clerk of Courts.

The Respondents, May Wish to Claim, "Plain Error"; [But Plain Error's They Are Not].

Please See Exhibits (A.) Through (F.).

The Respondent And/or Respondents, Prosecutor Julia R. Bates, have proven to be Profoundly And Extremely "Masterful", with Ambiguity And relative Terminologies, such as "Aver".

Thus Using these abilities to Suppress, to Subvert, to Stun And to Confuse the higher Courts.; and then request And/or Demand Dismissals, As She has done Against This Honorable Supreme Court, of Ohio And Against The Relator, Jerry Jermaine Hetlin.

This Relator, Mr. Hetlin, of Whom Was Wrongfully Victimized, Thereby The Indiscretion's of the Prosecutor, Julia R. Bates And Her Husband, Judge, James D. Bates, Years Ago.

But With New Found Evidence And Witnesses, And Factual Documents That Have Emerged; With Compelling Proof of Actual Innocence, Have Caused The Resurrection of a Body Hidden Within The Ohio Prison System, And Has Furthermore Brought These Indiscretion's To The Surface, And Against All of The Aforesaid Involved.

The Respondents Have Demonstrated, [Inadequate] Cause To Request And/or Demand Any More Dismissals, And/or Dismissal Of The Relator's Filed Mandamus And Procedendo For Post Conviction.

And Moreover The Respondents "Ever" is Without Merit.

Merit is Within The Relator's Post-Conviction Petition.

And With The Respondent's, Cognitive Knowledge Thereof The Relator's Post-Conviction Petition, They Have Chosen To Remain Silent By Omission And/or Ignorance, And Also To Ignore And Refuse To Challenge Each Ground And/or Claim And its Validity.

These Failure's To Respond Directly And With Specific Factualness, Thus Demonstrates Guilt, Thereby There Own Omission's.

And There Request For A Dismissal And/or Dismissals, of the Motion's And Petition Filed By The Relator, Should be Ignored And Dismissed, For Lack of Merit.

The Relator, Her's The Following, Pursuant To These Authorities And/or Case Laws Of The Lake County Clerk Administrator, Faith Andrews, V. The Lake County Common Pleas Court Judges, Of Which There Are Five, 2022.

These Five Judges, Sought To Misuse Faith Andrews New Position And Her Department, To Manipulate Funds, For There Own Personal Gain, But She Stopped This From Occurring.

Judge, John P. O'Donnell, the Lead Aid And Abettor, Threatening And Intimidated, Faith Andrews, if She did not Comply With Any Further Criminal Acts And/or Actions Offenses, that Was Obviously Being Committed Thereby The Former, Clerk of Administrator. Faith Andrews Further Exposed Fraud And Defrauding Actions Committed Against Defendant And/or Petitioner / Relator's.

These Same Criminal Acts, Have Currently Been Committed Within The Lucas County Courts, And With Clerk Of Courts, under Clerk Admin, Jason Hill, And Prosecutor, Julia R. Bates.

Cuyahoga County And Lake County, Of Which Wrongful Conviction Have Occurred By Judge, John P. O'Donnell, As well.

- The Relator, Jerry Jermaine Hetlin, [Avera's] The Following, Pursuant To State V. Hetlin, Jerry Jermaine, 2022-Ohio, And 2010, 2011, 2012, And Court Case Numbers Thereof.
- The Lucas County Common Pleas Court, And Clerk Of Courts, Are Guilty Of [Terrorism], Against This Relator, Jerry Jermaine Hetlin, And "African American", Of These United States Of America.
- To Wit, Are Treasonable Offenses, Committed Thereby And Government Official And/or Officials, Against Legislative Decree's Of Congress And The United States Constitution And Amendment Rights And Matters Of Law Against Jerry Jermaine Hetlin.
- The Relator, Jerry Jermaine Hetlin, Has Filed A 26-B Motion, And His Post-Conviction-Petition, And A Direct Appeal Prior To, The Above Aforesaid Motion And Petition, All Of Which Was Theretofore The State Of Ohio Lower And District Courts Of Lucas County, To Have The Opportunities, To Correct These Wrongful Convictions And Imprisonment, Of The Relator. But The State Courts Of Lucas County Chose To Conceal These Wrongful Convictions.

- Equality, Due Process Of Law, Constitutional And United States Constitutional Rights, And Amendment Rights, State, Federal, Civil, Rights As Well, All Of Which Are Guaranteed And Protected, Under These United States Of America.
- The Relator, Jerry Jermaine Heflin, Was Deprived Of All Of The Above Horesaid Rights As And "African American".
- This Relator Was Only Treated As And "African".
- This Relator Was placed within A position of Solitude, And Without Any "American", Legislative Impartial Rights Decreed By Congress, Thus Pursuant To And Including The United State Constitution Of America.; And it's Amendment Rights Thereof. And the Conditions of how this Occurred Are Explicitly True.
- He Was Dragged From his home and out of Society, And Beaten, And Ethnically Intimidated, And Interrogated And Coerced While In Shackles. Then Judged By A Systemic Racism Of Court, And then Wrongfully Convicted. For Decades And Decades, This is What Africans Endured. And Through-out These Current Decades, This African Jerry Jermaine Heflin, Still Endure's By Force, in 2022.

- With The Seriousness Of laws And Rights Violations Prevalent Through-out The Relator's State Remedies, And To Include His Post-Conviction - Petition. With Grounds And/or Claims Against The Lucas County Common Pleas Courts, And Clerk Of Courts, These Truths Are Self Evident.
- And By The Exposing Of The Magnitude Of The Fraud Upon The Court, And Defrauding Furthermore Exposes The Fraud Committed Against [Democracy], Pursuant To Those Of Whom Were Deceived Before During And After [Electing] These Aforesaid Parties Into Government Position.
- To Wit Government Policies, Rules, Laws, And Legal Procedures Were Subverted And Violated Thereby "Rogue Courts", Of Lucas County Common Pleas Courts Of The [State]. And The "Rogues" That Was Committed And Cloaked By Other Influenced Lucas County Government Officials, Against The Relator, Jerry Jermaine Heflin.
- To Wit There Motivation Demonstrated, Neptist Cover up's, And Racial Bias Discrimination, Against And African American, Pursuant To There Self-Serving, For Promotional Gain, Thereby Wrongful Convictions.

- To Wit The Degree Of These Violations Have Been Committed Against The Relator, Jerry Jermaine Hetlin, And Thereby The Lucas County Common Pleas Court, And Clerk Of Courts, [Articles Of Impeachment] Should Strongly Be Considered.
- Considered Against, Prosecutor, Julia R. Bates Judge, James D. Bates, Clerk Of Court Administrator Jason R. Hill, And Any And All Conspiring Parties Involved, With The Numerous Criminal Justice Crimes, So Egregiously And Cognitively Committed Against This Relator, Jerry Jermaine Hetlin, And All Other Forth-Coming African American's, That Were Wrongfully Convicted By The Aforesaid Parties Herein.
- Articles Of the peace, Should Further more Be Considered, done to the Police Brutality that Occurred, but yet Withheld By The Prosecutor, Julia R. Bates, Thus - In Violation Of the "Brady Law". And Now Exposed, With the possibilities Of further threats And violence Against The Relator's Family Now that Eye Witnesses Have Suffered Forth-With.

Relief

In This Honorable Supreme Court Of Ohio, I The Relator, Jerry Jermaine Heflin, Have Demonstrated Diligence, And Vigor, To The Best Of My Ability As A Pro-Se, Relator. I am not a Lawyer, Nor Do I Display The Pretense Thereof. Within My Post-Conviction-Petition I have respectfully requested Legal-Assistance.

The Common Pleas Court Of Lucas County And its Lucas County Affiliates, Have Proceeded With Recklessness And Vagueness. And, Neither its Judge's Nor Affiliates, have Provided Facts, Findings, And Conclusions Of Law, Pursuant to the Relator's, Post-Conviction-Petition, Case No. # CH-2022-1099. A Case Number Given Thereby The Sixth District Court Of Lucas County.

The Relator, Respectful Request That This Honorable Court, Vacate's The Convictions, And/or Set Them Aside And Grant A New Trial, With Attorney Fees Paid by the Court, As the Respondents Has Also "Pray-ed", For In Favor Of the Relator, Herein. Sincerely, Jerry J. Heflin
Date, June 14th, 2022

Exhibit[#] (A.)

No. 2022-0584

IN THE SUPREME COURT OF OHIO

ORIGINAL ACTION IN MANDAMUS AND PROCEDENDO

JERRY JERMAINE HEFLIN,
Relator

v.

LUCAS COUNTY COMMON PLEAS COURT, ET EL.
Respondents.

**ANSWER OF RESPONDENTS LUCAS COUNTY COMMON PLEAS
COURT AND THE LUCAS COUNTY CLERK OF COURTS**

Jerry Jermaine Heflin
636-306
Richland Correctional Institution
P.O. Box 8107
Mansfield, Ohio 44905

Pro Se Petitioner

JULIA R. BATES
Lucas County Prosecuting Attorney
John A. Borell (0016461)
Counsel of Record
Assistant Prosecuting Attorney
700 Adams Street, Suite 250
Toledo, OH 43624
Telephone: (419) 213-2001
Telecopier: (419) 213-2011
E-mail: JABorell@co.lucas.oh.us

Counsel for Respondents

Exhibit [#](B)

For their Answer to the petition for a Writ of Mandamus and a Writ of Procedendo, Respondents Lucas County Common Pleas Court and Lucas County Clerk of Courts (Lucas County Respondents) allege and aver as follows:

1. The petition is an essentially an incomprehensible tirade of complaints in unnumbered paragraphs for which the Lucas County Respondents are without knowledge or information sufficient for form a belief as to the truth of the allegations contained in the Petition and therefore, deny same.

2. Deny each and every allegation of the Petition not specifically admitted to be true herein.

FIRST DEFENSE

3. The Petition fails to comply with the requirements of R.C. 2731.04, since a petition for a writ of mandamus must be brought in the name of the state, on relation of the person applying. The failure of the Petitioner to properly caption the petition for a writ of mandamus requires dismissal. *Allen v. Court of Common Pleas of Allen County* (1962), 173 Ohio St. 226, 181 N.E.2d 270(1962); *Eugene Schmick v. State of Ohio*, 8th Dist. Cuyahoga No. 98766, 2012-Ohio-4943, ¶ 2; *Anderson v. Cleveland Common Pleas Court*, 8th Dist. Cuyahoga No. 83003, 2003-Ohio-4352, ¶ 2; *Dunning v. Judge Cleary*, 8th Dist. Cuyahoga No. 78763, 2001 Ohio App. LEXIS 79 (Jan. 11. 2001).

SECOND DEFENSE

4. The Petitioner failed to comply with R.C. 2969.25(A) which requires an inmate to file, *at the time he commences a civil action* against a government entity or employee, an affidavit listing each civil action or appeal of a civil action that

the inmate has filed in the previous five years in any state or federal court. *State ex rel. Nelms v. Franklin County Court of Common Pleas*, 10th Dist. Franklin No. 08AP-306, 2008-Ohio-6424, ¶ 15. The affidavit must include all of the information specified in *R.C. 2969.25(A)(1)-(4)*. *Id.*

THIRD DEFENSE

5. The Petition is improperly captioned, since a petition for a writ of procedendo must be brought in the name of the state, on relation of the person applying. The failure of the Petitioner to properly caption the complaint for a writ of procedendo requires dismissal. *Brody v. Lucci*, 11th Dist. Lake No. 2011-L-139, 2012-Ohio-1132, ¶ 21.

FOURTH DEFENSE

6. The Petition seeks an order for a new trial, vacating his conviction, excoriation, acquittal, and release from prison. He has an adequate remedy at law for the issues and remedies contained in the Petition.

FIFTH DEFENSE

7. The Petitioner is not entitled to the relief request.

SIXTH DEFENSE

8. The Lucas County Respondents are not required to grant Petitioner the request relief.

WHEREFORE, the Lucas County Common Pleas Court and the Lucas County Clerk of Courts pray that the Petition for a writ of mandamus and a writ of

Exhibit # (D.)

procedendo be dismissed and that they be granted all relief that the are entitled to,
including attorney fees.

Respectfully submitted,

JULIA R. BATES
LUCAS COUNTY PROSECUTING ATTORNEY

By: /s/ John A. Borell
John A. Borell
Assistant Prosecuting Attorney
Counsel for Lucas County Respondents

Exhibit # (E.)

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Answer was sent by was sent by ordinary

U.S. mail and/or email on the 7th day of June 2022 to:

Jerry Jermaine Heflin
636-306
Richland Correctional Institution
P.O. Box 8107
Mansfield, Ohio 44905

Jason A. Hill
Court Administrator
Sixth District Court of Appeals
E-mail:jahill@co.lucas.oh.us

Pro Se Petitioner

/s/ John A. Borell
John A. Borell
Counsel for Lucas County Respondents

Exhibit # (F)



JULIA R. BATES
LUCAS COUNTY PROSECUTING ATTORNEY
LUCAS COUNTY COURTHOUSE
700 ADAMS STREET, SUITE 250
TOLEDO, OHIO 43604-5659

*The Relator Received This Letter
On June 13th, 2022.*

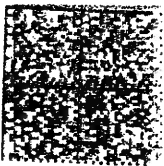
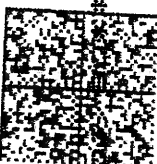


JS

RECEIVED JUN 14 2022

Jerry Jermaine Hefflin
636-306
Richland Correctional Institution
P.O. Box 8107
Mansfield, Ohio 44905

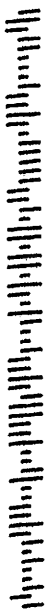
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Motion of Rebuttal/Objection
Prosecutor:
was sent to: Julia L. Bates at: 200 Adams St. Suite #250
Toledo, Ohio, 43624 by regular U.S. Mail, postage prepaid, on this 17 day
of June, 2022.

/s/ Jerry J. Heflin
Jerry Jermaine Heflin
(Name & Number) # 636-306
Defendant, Pro Se