

IN THE BELMONT COUNT COURT
COMMON PLEAS
SAINT CLAIRSVILLE, OHIO

STATE *ex rel.*

LADY CAROL L. GIVENS
P.O. BOX 117
BELLAIRE, OH 43906, Taxpayer

Petitioner(s)/Complainant(s),

vs.

ADULT PROTECTIVE SERVICES,
BELMONT COUNTY DEPARTMENT
OF JOB AND FAMILY SERVICES
68145 HAMMOND RD.
SAINT CLAIRSVILLE, OH 43950,

JEFFREY T. LOEFFLER, OFFICER
VILLAGE OF SHADYSIDE
50 EAST THIRTY NINTH STREET
SHADYSIDE, OH 43947

KEVIN FLANAGAN,
PROSECUTOR, BELMONT COUNTY, OHIO
52160 NATIONAL RD.
SAINT CLAIRSVILE, OH 43950,

BRENT A. CLYBURN, ESQ.
(OHIO REG. #0079398)
ASSISTANT PROSECUTING ATTORNEY
SERVING BELMONT COUNTY, OHIO
52160 NATIONAL RD.
SAINT CLAIRSVILE, OH 43950,

Respondent(s).

No. _____

Original Jurisdiction

PETITION FOR WRIT
OF PROHIBITION

(OR IN THE ALTERNATIVE,
(MANDAMUS), (PROCEDENDO),
SUPERSEDEAS, AND/OR
(QUO WARRANTO))

NOW COMES Petitioner(s), CAROL L. GIVENS, a.k.a. LADY CAROL LYNN GIVENS, of
Shadyside, Ohio, is of honor, and English/Scottish birthright, *pro se*, pursuant to Ohio law and
Original Jurisdiction, respectfully petitions this Honorable Court to issues a Writ of *Prohibition*, or

1 in the Alternative, Writ(s) of *Mandamus*, *Procedendo*, and/or *Quo Warranto*, to direct the
2 Respondent(s), according to law and the judgment according to this Court, Ohio Civ.R., Ohio
3 Jud.Cond.R., Local Rules, and duly enforce all appropriate underlying law which supports
4 Petitioner, and in addition, according to Ohio Rev. Code §2731.01; §2731.02; and §733, et seq.;
5 §§5301.51, et seq.; and/or to cease and desist any underlying illegal action(s) thereon, and for
6 other relief as shown in this **PETITION**, and set forth below. **AFFIDAVIT(S) / Exhibit(s), so**
7 **attached.**

8 9 10 11 12 13 14 15 16 17 18 19 20 21

SUMMARY

Petitioner is (seventy-five) (75) years old, and a citizen of Ohio, and infirm with periodic treatments by her doctors overall health and physical disability. Under threat and harm, abuse of process, and retaliation and falsified police reporting against Petitioner, her family, eye-witnesses and crime watch, for her right to appeal, and the reporting of crimes, after reporting crime, Respondent JEFFREY T. LOEFFLER/SPD threw his fists and physically lunged at Petitioner, and another elderly lady, against citizens, then later deprived Petitioner of her medical van, deceptively, and had Petitioner's transportation unlawful towed to 'punish' petitioner and individuals from crime watch, all in an effort to send a 'warning' to all those like Petitioner, including eye-witnesses and victims, "no more!" reporting crimes in the Village of Shadyside, including filings against fanatical neighbors, **friends and acquaintances of Respondent(s)**, against the Petitioner, and all those similarly situated, and by selective name.

Respondent(s) Kevin Flanagan, Brent Clyburn, have since retaliated against Petitioner, by filing frivolous and unfounded accusations of judicial abuse, against Petitioner, all in order to protect Respondent Officer Jeffrey T. Loeffler, and the Shadyside Police Department, of which he is a chief, and is headed up by friends or political associates of the Respondent(s). which are held immune from prosecution, the laws, statutes, and ordinances of the state of Ohio, without reason, or just or legal cause.

1 Petitioner brings this writ on behalf of herself, and all others similarly situated, against
2 that abuse of elderly and the vulnerable, and to the right to be “protected and defended.”

3 Petitioner is without due process or hearing, and Petitioner has no remedy at law.
4 Selective investigation, and prosecution of certain individuals favored by RESPONDENT(S),
5 and against the Fourteenth Amendment and Equal Protection Clause of the United States
6 Constitution, and victim’s rights as enumerated in the Article I, of the Ohio Constitution, Mayor
7 Robert A. Newhart, Sr. of the Village of Shadyside, Ohio.

8 Petitioner remain under a condition of vulnerability, threat, and mental and physical
9 harm, and those similarly situated, in the RESPONDENT(S) jurisdiction, as a direct result of
10 the Respondent(s) acts or omissions.

11 Pursuant to Ohio Revised Code, and such applicable law(s), Tax-payer/Relator, Carol L.
12 Givens, sets forth her Verified Complaint, and for Writ of Mandamus against Respondent Kevin
13 Flanagan (“FLANAGAN”), Brent A. Clyburn, (“CLYBURN”), in his official capacity as prosecutor,
14 and Adult Protective Services, Belmont County Department of Job and Family Services (“APS”),
15 Officer Jeffrey T. Loeffler, Village of Shadyside, Ohio (“LOEFFLER/SPD”).

16 1. Relator Carol L. Givens seeks relief, (or in the alternative, a writ) against
17 Respondents (“RESPONDENT(S)”), APD, LOEFFLER/SPD, FLANAGAN, CLYBURN, in
18 compliance with Ohio and federal law regarding the willful and wanton neglect to perform the
19 Respondent(s) duties, or as so committing gross misconduct in office, for removal. Jurisdiction
20 lies with this Court under O.R.C. §2731.02, et seq., or corresponding Section(s), which governs
21 proceedings in writ in the courts, and specifically places jurisdiction in Ohio’s this court of
jurisdiction. Since this is an original action relating to Petition, Affidavit is so attached.

2 2. O.R.C. §2731.01, et seq., §2731.03, et seq., or other appropriate statute/section,
provide the following mandatory procedure and deadlines to follow for a countywide office and
candidate to be able serve in such office.

1 According to the Ohio Revised Code county officials are subject to the direct
2 responsibilities under the R.C., In this instance, Petitioner, as well as other elderly adults, and
3 mentally challenged persons, were placed in danger, according Ohio law. TO WIT:

4 O.R.C. § 5101.60. Adult Protective Services Definitions.

5 **“(K) ‘In need of protective services’ means an adult known or suspected to be
6 suffering from abuse, neglect, or exploitation to an extent that their life is
7 endangered or physical harm, or mental anguish, or mental illness results or is
8 likely to result.”**

9 Citing Ohio Revised Code § 5101.60 (K).

10 Chapter 5101:2-20-01 — Ohio Administrative Code. Adult Protective Services
11 Definitions.

12 **“(B)(4) ‘Adult protective services’ means and array of services provided to adults
13 who are at risk of abuse, neglect or exploitation. Services include but are not
14 limited to: intake/referral, investigative reports of abuse, neglect, or exploitation,
15 and protective services as defined in paragraph (B)(27) of this rule.”**

16 Citing Chapter 5101:2-20-01(B)(4) — Ohio Administrative Code.

17 Chapter 5101:2-20-12 — Ohio Administrative Code. Adult Protective Services
18 Assessment and Investigation.

19 **“(B) The CDJFS [County Department of Job and Family Services] or its designee
20 shall do all of the following:**

- 21 **(1)** Attempt a face-to-face visit with the alleged adult victim, preferably in the alleged
adult victim’s own home without the interference of others. If face-to-face contact is
not possible, the reason(s) must be documented in the case record.
- (2)** Provide written notice of the intent to investigate and explain the notice in a language
reasonably understandable to the adult who is the subject of the investigation at the
time of the initial interview, if notice was not given at the time of initiation of the report
pursuant to rule 5101:2-20-11 of the Administrative Code. The CDJFS or its
designee shall arrange for translator/interpreter services if needed.
- (3)** Assess the risk to the adult who is subject to a report, by considering the following
factual information:
 - (a) The specific danger (abuse, neglect or exploitation) and the degree of danger
(physical or sexual harm, mental anguish or mental illness) in the adult’s
living conditions.

(b) The personal vulnerability of the adult which may include one or more of the following conditions:

- (i) Handicap due to infirmities of aging.
- (ii) Physical or mental impairments preventing the adult from providing for his or her own care without the assistance of a caretaker.
- (iii) The adult's understanding of his or her current situation.
- (iv) The adult's feelings about his or her current living conditions.

(c) The social vulnerability of the adult, which may include one or more of the following conditions:

- (i) The absence of a guardian, caretaker, spouse, adult children, next of kin or friends.
- (ii) The unlawful or improper act of a caretaker using an adult or his or her resources for monetary or personal benefit, profit or gain.
- (iii) The failure or inability of a caretaker or the adult to provide goods or services necessary to avoid physical harm, mental anguish or mental illness.

(4) Interview other known persons and/or agencies who may have knowledge of the abuse, neglect or exploitation.

(5) Investigate additional concerns regarding the adult victim that are discovered during the initial investigation of suspected abuse, neglect and/or exploitation while the CDJFS or its designee is actively involved with the adult.

“(C) The CDJFS or its designee may request an *ex parte* emergency protective services order under the following circumstances:

(1) An emergency exists.

(2) There is reasonable cause to believe that the adult is incapacitated.

(3) There is reasonable cause to believe that there is substantial risk to the adult of immediate and irreparable physical harm, immediate and irreparable financial harm or death....”

AND SO FORTH.

Citing Chapter 5101:2-20-12(B)(1) ~ (5); — Ohio Administrative Code.

Citing Chapter 5101:2-20-12(C)(1) ~ (3); — Ohio Administrative Code.

RESPONDENT(S) are a LICENSED ATTORNEY, PEACE OFFICER, FIRST-RESPONDER, or SOCIAL WORKER with a DUTY, and obligation to elderly, and mentally retarded / challenged persons in this State:

1 According to the Ohio Revised Code county officials are subject to the direct
2 responsibilities under the R.C., In this instance, Petitioner, as well as other elderly adults, and
3 mentally challenged persons, were placed in danger, according Ohio law. TO WIT:

4 O.R.C. § 5101.63. Reporting Abuse, Neglect or Exploitation of Adult.

5 **“(A)(1) Any individual listed in division (A)(2) of this section having reasonable
6 cause to believe that an adult is being abused, neglected, or exploited, or is in a
7 condition which is the result of abuse, neglect, or exploitation shall immediately
8 report such belief to the county department of job and family service.**

9 **(2) All of the following are subject to division (A)(1) of this section:**

10 **...(a) An attorney admitted to the practice of law in this state;**

11 **...(g) An Individual licensed under Chapter 4757. of the Revised Code as a
12 social worker, independent social worker, professional counselor, professional
13 clinical counselor, marriage and family therapist, or independent marriage and
14 family therapist;**

15 **...(u) A first responder, emergency medical technician-basic, emergency
16 medical technician-intermediate, or paramedic, as those terms are defined in
17 section 4765.01 of the Revised Code;**

18 **...(v) An official employed by a local building department to conduct
19 inspections of houses and other residential buildings;**

20 **...(w) A peace officer; ...”**

21 **Citing Ohio Revised Code §§ 5101.63 (A)(1); 5101.63 (A)(2); *emphasis added*.**

O.R.C. § 5101.63. Reporting Abuse, Neglect or Exploitation of Adult.

**“(B) Any person having reasonable cause to believe that an adult has suffered
abuse, neglect, or exploitation may report, or cause a report to be made of such
belief to the county department of job and family services.”...**

Citing Ohio Revised Code §§ 5101.63 (B);

Citing also, Petitioner, Exhibit(s).

According to the Ohio Supreme Court, the prosecutor is subject to the Ohio Rules of
Professional Conduct:

1 **RULE IV. Professional Responsibility.**

2 **Section 1. Applicability.**

3 The Ohio Rules of Professional Conduct, effective February 1, 2007, as
4 amended, shall be binding upon all persons admitted to practice law in Ohio.
5 The willful breach of the Rules shall be punished by reprimand, suspension,
6 disbarment, or probation as provided in Gov. Bar R. V.

7 **Section 2. Duty of Lawyers.** It is the duty of the lawyer to maintain a
8 respectful attitude toward the courts, not for the sake of the temporary
9 incumbent of the judicial office, but for the maintenance of its supreme
10 importance. Judges and Justices, not being wholly free to defend
11 themselves, are peculiarly entitled to receive the support of lawyers against
12 unjust criticism and clamor. Whenever there is proper ground for serious
13 complaint of a judicial officer, it is the right and duty of the lawyer to submit
14 a grievance to proper authorities. These charges should be encouraged and
15 the person making them should be protected.

16 [Effective: February 28, 1972; amended effective July 15, 1974; July 1, 1983;
17 January 1, 1993; February 1, 2007.]

18 According to the O.R.C. § 9.69. Duties and status of law enforcement officer.

19 **“(B) For purposes of the Revised Code, both the following apply regarding a
20 law enforcement officer who, by virtue of the officer’s employment,
21 commissioning, disposition, appointment, or election as that law
22 enforcement officer, has a responsibility to enforce all or certain law:**

23 **(1) The officer holds public office on a continuing basis and has a
24 continuing duty to enforce those laws....”**

25 Citing O.R.C. § 9.69, et seq.

26 The prosecutor’s special duty is to ensure justice FOR ALL.

27 Justice Sutherland stated: “The [prosecutor] is the representative not of an ordinary
28 party to a controversy, but of a sovereignty whose obligation to govern impartially
29 is as compelling as its obligation to govern at all; and whose interest, therefore, in
30 a criminal prosecution is not that it shall win a case, but that justice shall be done.
31 As such, he is in a peculiar and very definite sense the servant of the law, the
32 twofold aim of which is that guilt shall not escape or innocence suffer. He may
33 prosecute with earnestness and vigor—indeed, he should do so. But, while he may
34 strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to
35 refrain from improper methods calculated to produce a wrongful conviction as it is
36 to use every legitimate means to bring about a just one.”

37 Citing *Berger v. United States*, 295 U.S. 78 (1935);

1 3. O. R.C. § 3513.262 requires the prosecutor to prosecute crimes, hold hearings
2 for eye-witnesses, and evidence supporting the protections of Ohio citizens, not just
3 some. Further, the statute does not provide procedural due process rules for a hearing.

4 4. The RESPONDENT(S) have the duty to victims of crime in line with the U.S.
5 Constitution's 14th Amendment due process and equal protection clause and Ohio's
6 Constitution, Article I, Section 16, Redress for injury; Due process.

7 5. Article I, Section 10a, Victims Rights: "Victims of criminal offenses should be
8 accorded fairness, dignity, and respect in the criminal justice process, and as the
9 General Assembly shall define and provide by law..."

10 5. The United States Supreme Court discussed due process requirements in
11 *Mathews v. Eldridge*: First, the private interest that will be affected by the official action;
12 second, the risk of an erroneous deprivation of such interest through the procedures
13 used, and the probable value, if any, of additional or substitute procedural safeguards;
14 and finally, the Government's interest, including the function involved and the fiscal and
15 administrative burdens that the additional or substitute procedural requirement would
16 entail. *Mathews v. Eldridge*, 424 U.S. 319,335 (1976).

17 6. The broad nature of professional discretion, does not AVOID or shirk the
18 responsibilities to the statutes, laws, ordinances, and regulations of the State of Ohio
19 and the government of the United States of America, and to its citizens, or by rule of the
20 United States Supreme Court and Ohio Supreme Court tests and rulings.

21 The same standards apply to Prosecutor FLANAGAN, and Prosecutor
CLYBURN, APS, and LOEFFLER/SPD.

 7. On dates specified in Exhibits, so attached, Relator Carol L. Givens, along with
upstanding citizens, and MEMBERS of the local CRIME WATCH, reported crimes to the
respective police departments, and RESPONDENT(S), containing specific details on
the proper prosecutor and law enforcement official forms, duly provided to the local
municipalities and county law enforcement officials, under O. R.C., it is the duty of ALL
citizens to report crimes. Relator, as well as CRIME WATCH, received grievous letters

1 with blanket statements that certain individuals committing criminal acts in violation of
2 the Ohio Revised Code, would NEVER BE PROSECUTED, as outlined in
3 Petitioner/Complainant, Exhibit(s).

4 **O. R.C. § 2921.22. Failure to Report a Crime or Knowledge of a Death
or Burn Injury.**

5 **“(A)(1) Except as provided in division (a)(2) of this section, no person,
6 knowing that a felony has been or is being committed, shall knowingly
fail to report such information to law enforcement authorities....”**

7 Citing O.R.C. § 2921.22, et seq.

8 8. All reports returned to RESPONDENT(S), respective of eye-witnesses, and
9 evidence, including prima facie information leading to the arrest and conviction of said
10 suspects, as outlined in Relator Exhibits(s).

11 9. Failing to follow-up with ANY criminal complaints , RESPONDENTS set their
own laws, and precedent against the will and intent of the Ohio Legislature.

12 10. For previous criminal investigations, Prosecutor FLANAGAN, and Prosecutor
13 CLYBURN, accepted such certification forms received by the statutory guidelines to
obey the laws, statutes, ordinances, regulations, and constitution.

14 11. No hearing, charges, or indictment(s) were ever filed against said persons
15 complained in said criminal complaints of Relator, or local Crime Watch.

16 12. These procedural defects violate Relator Carol L. Givens, and all victims of
17 crime in Ohio, due process rights because the hearing lacked minimal procedural
safeguards.

18 13. Relator Carol L Givens was blocked from introducing evidence and
19 arguments about all valid complaints, and over two dozen felonies and misdemeanors,
and legitimate concerns of crime being committed in her community and precinct(s).

20 14. RESPONDENT(S), acting for the office of the Belmont county, Ohio, AND
21 Respondent(s) LOEFFLER/SPD, ignored procedural defects, ignored equal protection

1 considerations, and accepted a “do nothing: approach” to felonious crimes being
2 committed primarily in Belmont county, and the Village of Shadyside, Ohio, affecting
3 their associations, and friendships of certain persons relating to Mayor Robert A.
4 Newhart, Sr., opposed to the candidacy of Carol L. Givens, and Greg P. Givens, for
Shadyside Village Council, and Office of Mayor.

5 15. Based on the factual allegations above, Relator Carol L. Givens is entitled to
6 a writ of toward the enforcement of the laws, statutes, and ordinances of the State of
Ohio before the statutory limitation deadlines of such actions / crimes.

7 16. Other validated crimes go unreported due to the discouragement of honest
8 citizens to report crimes, and to encourage criminal conspiracies involving associates of
Mayor Robert A. Newhart and the Village of Shadyside, Ohio.

9 17. On this basis RESPONDENT(S) should have accepted the Supreme Court’s
10 recommendations as to case law relative to Relator Carol L. Givens from the continued
11 harassment, and victimization of crimes in Belmont county, State of Ohio.

12
13 The prosecutor is the chief law enforcement officer of the district oh Belmont
County Ohio.

14 **O. R.C. § 2921.44. Dereliction of duty.**

15 **“(A) No law enforcement officer shall negligently do any of the
following:**

16 **“(1) Fail to serve a lawful warrant without delay;**

17 **“(2) Fail to prevent or halt the commission of an offense or to
apprehend an offender, when it is in the law enforcement officer’s
power to do so alone or with available assistance....”**

18 **“(B) No law enforcement, ministerial, or judicial officer shall negligently
fail to perform a lawful duty in a criminal case or proceeding....”**

19
20 **“(D) No public official of the state shall recklessly create a deficiency,
incur a liability, or expend a greater sum that is appropriated by the
21 general assembly for the use in any one year of the department,**

1 **agency, or institution of the state with which the public official is**
2 **connected....”**

3 **“(E) No public servant shall recklessly fail to perform a duty expressly**
4 **imposed by law with respect to the public servant’s office, or**
5 **recklessly do any act expressly forbidden by law with respect to the**
6 **public servant’s office...”**

7 **“(F) Whoever violates this section is guilty of dereliction of duty, a**
8 **misdemeanor of the second degree....”**

9 Citing O.R.C. § 2921.44, et seq.

10 18. Respondent(s) APS, LOEFFLER/SPD, FLANAGAN, CLYBURN, have failed
11 in their duties to the doctrines, statutes, laws, and constitution of the state of Ohio, and
12 our federal constitution. TO WIT:

13 **DISTINCT CHARGES, and SPECIFICATIONS:**

14 APS, LOEFFLER/SPD, FLANAGAN, and CLYBURN has willfully and wantonly
15 neglected to perform the duties or has been guilty of gross misconduct in office:

- 16 I. From July 22, 2019, and from that time forward, APS, LOEFFLER/SPD,
17 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
18 investigation, crimes and misdemeanors surrounding the MURDER of
19 relative, Dennis A. Givens, and elderly Ohio citizen, under the care and
20 regulation of the Belmont County Job and Family Services, in violation of
21 Ohio Revised Code, Title §2903; §2903.02;.
- II. From July 22, 2019, and from that time forward, APS, LOEFFLER/SPD,
 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
 investigation, and crimes and misdemeanors surrounding the
 ATTEMPTED MURDER against the Givens’ and of relative, Greg P.

1 Givens, a registered Ohio candidate running for public office; in violation of
2 Ohio Revised Code Title §2903, et seq.;

3 III. From August 14, 2021, and from that time forward, APS,
4 LOEFFLER/SPD, FLANAGAN, and CLYBURN has failed in the duties in
5 the gathering, investigation, and crimes and misdemeanors against the
6 Givens' surrounding the ATTEMPTED ARSON of my Givens home and
7 relatives, and Greg P. Givens, a registered Ohio candidate running for
8 public office;

9 IV. On June 8, 2019 and from that time forward, APS, LOEFFLER/SPD,
10 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
11 investigation, and crimes and misdemeanors against the Givens'
12 surrounding the crimes complained thereof on official forms of, or by
13 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
14 of the Ohio Revised Code, thereon;

15 V. On June 3, 2019 and from that time forward, APS, LOEFFLER/SPD,
16 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
17 investigation, and crimes and misdemeanors against the Givens'
18 surrounding the crimes complained thereof on official forms of, or by
19 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
20 of the Ohio Revised Code, thereon;

21 VI. On April 26, 2021 and from that time forward, APS, LOEFFLER/SPD,
FLANAGAN, and CLYBURN has failed in the duties in the gathering,
investigation, and crimes and misdemeanors against the Givens'
surrounding the crimes complained thereof on official forms of, or by
affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
of the Ohio Revised Code, thereon;

VII. On Aug 14, 2021 and from that time forward, APS, LOEFFLER/SPD,
FLANAGAN, and CLYBURN has failed in the duties in the gathering,

1 investigation, and crimes and misdemeanors against the Givens'
2 surrounding the crimes complained thereof on official forms of, or by
3 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
4 of the Ohio Revised Code, thereon;

4 VIII. On May 19, 2022 and from that time forward, APS, LOEFFLER/SPD,
5 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
6 investigation, and crimes and misdemeanors against the Givens'
7 surrounding the crimes complained thereof on official forms of, or by
8 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
9 of the Ohio Revised Code, thereon;

9 IX. On May 27, 2022 and from that time forward, APS, LOEFFLER/SPD,
10 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
11 investigation, and crimes and misdemeanors against the Givens'
12 surrounding the crimes complained thereof on official forms of, or by
13 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
14 of the Ohio Revised Code, thereon;

13 X. On June 3, 2022 and from that time forward, APS, LOEFFLER/SPD,
14 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
15 investigation, and crimes and misdemeanors against the Givens'
16 surrounding the crimes complained thereof on official forms of, or by
17 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
18 of the Ohio Revised Code, thereon;

17 XI. On June 6, 2022 and from that time forward, APS, LOEFFLER/SPD,
18 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
19 investigation, and crimes and misdemeanors against the Givens'
20 surrounding the crimes complained thereof on official forms of, or by
21 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
22 of the Ohio Revised Code, thereon;

- 1 XII. On June 9, 2022 and from that time forward, APS, LOEFFLER/SPD,
2 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
3 investigation, and crimes and misdemeanors against the Givens'
4 surrounding the crimes complained thereof on official forms of, or by
5 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
6 of the Ohio Revised Code, thereon;
- 7 XIII. On June 17, 2022 and from that time forward, APS, LOEFFLER/SPD,
8 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
9 investigation, and crimes and misdemeanors against the Givens'
10 surrounding the crimes complained thereof on official forms of, or by
11 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
12 of the Ohio Revised Code, thereon;
- 13 XIV. On June 20, 2022 and from that time forward, APS, LOEFFLER/SPD,
14 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
15 investigation, and crimes and misdemeanors against the Givens'
16 surrounding the crimes complained thereof on official forms of, or by
17 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
18 of the Ohio Revised Code, thereon;
- 19 XV. On June 23, 2022 and from that time forward, APS, LOEFFLER/SPD,
20 FLANAGAN, and CLYBURN has failed in the duties in the gathering,
21 investigation, and crimes and misdemeanors against the Givens'
surrounding the crimes complained thereof on official forms of, or by

1 affirmation, letter, notice, complaint to RESPONDENT(S), and in violation
2 of the Ohio Revised Code, thereon; TO WIT:

3
4 AND, on all subsequent date(s), and by COMPLAINT OF STATUTORY OFFENSES:
5 MENACING ORC §2903.22 ELDER ABUSE ORC §§5101.60(A); 5101.60(O)
6 IMPERSONATING AN OFFICER ORC §2913.44 INTIMIDATION OF ELECTION OFFICIAL
7 ORC §3599.24 INTIMIDATION OF ELECTORS 18 U.S.C. §594; 52 18 U.S.C. §20511(1); 18
8 U.S.C. §245(b)(1)(A) CAMPAIGN INTERFERENCE ORC §3599.24 PERJURY ORC
9 §§2921.11; 5924.131 RETALIATION ORC §2921.05 CRIMINAL CONSPIRACY ORC §2923.01
10 OBSTRUCTION OF JUSTICE ORC §2921.31; and so forth; among others; And as they that
11 are specified in the RELATOR, attached Exhibit(s), APS, LOEFFLER/SPD, Prosecutor
12 FLANAGAN, and prosecutor CLYBURN has willfully and wantonly neglected to perform
13 the duties or has been guilty of gross misconduct in office, and due to all circumstances,
14 eye-witnesses, facts and event(s).

15 AND, the failure to protect elderly adult citizens, and Mrs. Kay Zacharias, of 3500
16 Central Avenue, Shadyside, OH 43947, and a mentally challenged adult/ward of the state,
17 named "Marylin", of 3714 Lincoln Avenue, Shadyside, OH 43947, from an abusive individual
18 named Terry Hanson of 3707 Highland Avenue, Shadyside, OH 43947, from said individual
19 providing said person(s) alcohol, proliferating pedophilia, and other nefarious crimes and
20 activities, as reported to Magistrate Amy L. Busic (Ohio Supreme Court, Reg. # 70693) of the
21 Belmont County Common Pleas Court, Saint Clairsville, Ohio, and in Case Nos. 19-DR-0223,
19-DR-0224, 21-DR-149, 21-DR-0150, 22-DR-0415 and 22-DR-0416, 22-DR-0205, 22-DR-
0206, 22-DR-0207, 22-DR-0208, 23-CV-0077, etc.

22 All are well known to Respondent(s), LOEFFLER/SPD, who has taken all of the reports
23 for the Municipal Court of the Village of Shadyside, Ohio, as present before the remaining
24 RESPONDENT(S).

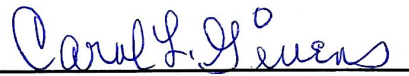
1
2 AND, retaliation against Relator/Petitioner Carol L. Givens, her family members,
3 eye-witnesses, taking of possessions, property, and son, Greg P. Givens of 3735
4 Highland Avenue, Shadyside, Ohio, for reporting crimes, and upon exercising
5 Petitioner(s) right to appeal and trial.

6 Citing attached Exhibit(s).

7 Petitioner(s)/Complainant(s), all Exhibit(s), Affirmation, and signature page,
8 so attached.
9
10

11 WHEREFORE, Relator prays this Court issue WRIT against said Respondent(s), or
12 peremptory writ of prohibition, or in the alternative, mandamus and/or other appropriate
13 alternative writ, and for Respondent(s) to comply with Ohio and federal law regarding
14 this matter. Relator further requests costs, attorney fees, and such other and further
15 relief at law or in equity as the Court may deem necessary and proper.
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Respectfully submitted,



Carol L. Givens, Plaintiff/Petitioner, pro se

CERTIFICATE OF SERVICE

True copies of all documents filed in this Court, addressed to the Clerk, Ohio Supreme Court, Columbus, Ohio,, and served on ALL opposing parties, or their known appearance of counsel, in accordance with Supreme Court Rule.

KEVIN FLANAGAN,
PROSECUTOR, BELMONT COUNTY, OHIO
52160 NATIONAL RD.
SAINT CLAIRSVILLE, OH 43950

BRENT A. CLYBURN, ESQ.
(OHIO REG. #0079398)
ASSISTANT PROSECUTING ATTORNEY
SERVING BELMONT COUNTY, OHIO
52160 NATIONAL RD.
SAINT CLAIRSVILLE, OH 43950

ADULT PROTECTIVE SERVICES,
BELMONT COUNTY DEPARTMENT OF
JOB AND FAMILY SERVICES
68145 HAMMOND RD.
SAINT CLAIRSVILLE, OH 43950

JEFFREY LOEFFLER, OFFICER,
SHADYSIDE POLICE DEPARTMENT
50 EAST THIRTY NINTH STREET
SHADYSIDE, OH 43947

Respectfully submitted,



Dated: March 8, 2023.

Carol L. Givens, Plaintiff/Petitioner, pro se
P.O. Box 117
Bellaire, OH 43906
carollynngivens2@gmail.com

VERIFICATION / AFFIRMATION

I, **CAROL L. GIVENS**, who duly affirms and deposes that:

I.

I am pro se party of record for CAROL L. GIVENS, Real Party In Interest in this case. I am over 21 years of age and am competent to make this affidavit. I have prepared/ read the foregoing Petition/Brief/Appeal/Pleading to which this verification is attached, which is filed on behalf of CAROL L. GIVENS, and every factual statement contained in this Petition/Brief/Appeal is within my personal knowledge and is true and correct under penalty of perjury.

II.

This Petition/Brief/Appeal is accompanied by an appendage. I have personal knowledge that the documents contained in the appendage are true and correct copies.

Further, Affiant sayeth not.

SWORN before me,

In the County of Belmont, this
8
of March, 2023.

SWORN, ATTESTED AND AFFIRMED,

By: Carol L. Givens
CAROL L. GIVENS, Affiant

Angela Thomas

Notary Public
My Commission Expires:
March 01, 2028

