

SUPREME COURT OF OHIO

STATE, EX REL.

SAMUEL J. DEAN

JULIE A. DEAN

Relators,

v.

ERIC SCHOOLEY, Executive and Judge for the
Madison County Municipal Court

Respondent

Case No. 2023-0779

FIRST AMENDED ORIGINAL ACTION IN
MANDAMUS

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Julie A. Dean, Relator
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SAMUEL J. DEAN

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Relators,

v.

ERIC SCHOOLEY, Executive and Judge for the
Madison County Municipal Court

55 North Oak St.
London, OH 43140

Respondent

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FIRST AMENDED ORIGINAL ACTION IN
MANDAMUS

FIRST AMENDED COMPLAINT AND PETITION FOR WRIT OF MANDAMUS

Relators come now before this Court and respectfully request lawful access to the documentation related to the Americans with Disabilities Act procedures in the Madison County Municipal Court (MCMC) and documents related to the ADA accommodation requests by the Relators which Respondent does control and has refused to provide to Relators.

JURISDICTION AND VENUE

Because the Respondent and documents reside in Madison County, Ohio, this court has jurisdiction and venue by and thru the State Constitution of Ohio, Rules of Superintendence for the Courts of Ohio (ROS) 44-47, Ohio Rev. Code § 143.49(C), and the Ohio Public Records Act (PRA).

PARTIES

1. Relators, Samuel J. Dean & Julie A. Dean were, during the entire time frame engaged in attempting to obtain requested documents from the Respondent's entity.

2. Relator Samuel Dean is a Union County resident. He is disabled with PTSD and permanent back injuries from multiple combat tours to include Operation Desert Storm. Relator Sam Dean's PTSD affects his ability to interact with others during stressful situations and his back injuries affect his ability to sit in soft seats for even short periods of time. Relator Sam Dean needs to know that the public official is aware that he can trigger in stressful situations and display anger which necessitates a separation from the stressful situation. Respondent Sam Dean needs a hard chair to sit in to prevent his back from becoming painful and distracting him from concentrating on any issues being presented or discussed. These disabilities impose limitations on his ability to concentrate, process information, and interact with others especially when he is triggered.

3. Relator Julie Dean is a Union County resident. She is disabled with permanent hearing loss suffered from service-related injuries and genetic degeneration. Relator Julie Dean's hearing loss affects her ability to listen and communicate. Relator Julie Dean misses words and phrases in sentences which causes miscommunications and a loss of understanding for Relator Julie Dean. The public official must slow their speech, talk so that Relator Julie Dean can see their face, and repeat themselves when Respondent Julie Dean asks for this. This disability imposes limitations on her ability to interact with others and to hear, especially in spaces with poor acoustics, noises, or when she is unable to look at the face of the person talking

4. Respondent, Honorable Eric M. Schooley is the public official charged with management of the public records sought for purposes of the ROS and Ohio Rev. Code §149.43 and this action.

5. There is no designee at the MCMC for making the decision and writing the statement of reasons for denying the Relators' ADA accommodations under 28 CFR 35.164.

6. The documentation related to the Americans with Disabilities Act procedures in the MCMC and documents related to the ADA accommodation requests by the Relators are public records for purposes of the ROS and Ohio Rev. Code §149.011(B) & (G) and this action.

GENERAL FACTUAL ALLEGATIONS

7. Respondent is the executive and administrative leadership of a court in Ohio of which its records are subject to the ROS and the Ohio Revised Code §143.011 (B).

8. Relators seek records which are not within the scope of the constitutional right to privacy under the 14th Amendment nor under a valid exemption to the people's right to obtain.

9. All documents are administrative documents as defined in ROS 45(G)(1).

10. Respondent Schooley has refused to respond to the Relators' requests.

11. The Madison County Public Records Policy states that the goal of the Commissioners is that requests should be acknowledged in writing or, if feasible, satisfied within three business days.

The policy further states that there is no charge for e-mailed documents.

([https://files4.revize.com/madisonoh/document_center/County%20Commissioner/
Public_Records_Request-Policy.pdf](https://files4.revize.com/madisonoh/document_center/County%20Commissioner/Public_Records_Request-Policy.pdf))

12. The Madison County Public Records Policy directs public officials to contact a requester if there are any questions relating to responding to the document request.

13. Respondent Schooley has never contacted the Relators to clarify the document requests.

14. A request was made on October 24, 2022 (two emails were sent, as the first contained one mis-typed email address for Respondent Schooley; the second email did not produce an error message so it is presumed to have been delivered), and specified the documents required by 28 CFR 35.164 for denying the Relators' ADA accommodation requests. This request was made by email to Respondent Schooley and copied MCMC Clerk of Court Terpening; the Respondent's

ADA Coordinator, Susan Thompson; the Respondent's attorney of record, MC Prosecutor, Nicholas Adkins; and various MC officers and staff of the MCMC. (Exhibit D)

15. Respondent Schooley's email address is eric.schooley@madison.oh.gov.

16. Respondent Schooley's email address is eschooley@co.madison.oh.us.

17. Court hearings are services, programs, or activities of a public entity as defined by the ADA.

18. The Relators were unable to fully participate in the trial hearings on March 31, 2021, May 3, 2021, May 26, 2021, July 13, 2021, July 26, 2021 because they were not accommodated.

18a. Relator Sam Dean was unable to participate in the hearings as he was concerned that he would trigger from his PTSD and be subjected to a response from the court that could include violence, incarceration, and fines. When Relator Sam Dean triggers from his PTSD, he can become very agitated until he is able to disconnect from the triggering event. The stress included concern that his wife, Relator Julie Dean, would also be subjected to violence, incarceration, and fines because she was having difficulty hearing the proceedings. This situation was exacerbated by Respondent Schooley's response to Relator Julie Dean's request for accommodation during the May 3, 2021 hearing. Relator Sam Dean was subjected to sitting in chairs that caused his back to ache which distracted him from concentrating on the proceedings. To self-accommodate, he read from prepared statements as much as possible until the court would provide the accommodations prior to a proceeding.

18b. Relator Julie Dean was unable to fully participate in the hearings because she was unable to hear the full sentences and statements of the participants. Relator Julie Dean requested that

Respondent Schooley repeat some of his statements during the May 3, 2021 hearing, but Respondent Schooley refused to do so. This unwillingness to even provide a simple accommodation until Respondent Schooley's court provided accommodations prior to a hearing made it clear that the Relators were dealing with a dangerous person and situation. Relator Julie Dean was forced to ask Relator Sam Dean for details that she was unable to hear. This prevented both Relators from hearing what was being said while they were communicating with each other. Relator Julie Dean read from prepared statements to self-accommodate until the court would provide accommodations prior to a proceeding.

19. The Relators searched the MCMC website in March and April 2021 for an ADA Notice, but could not find one.

20. The Relators called the MCMC Clerk of Court Office in April 2021 and requested the process to obtain ADA accommodations for court proceedings.

21. The MCMC Clerk of Courts Office told the Relators that they would have to contact a lawyer to get ADA accommodations in the MCMC.

22. The Relators filed a request for ADA accommodations and the contact information for the Designated Responsible Employee (DRE – 28 CFR 35.107) to the MCMC case docket on April 28, 2021.

23. No response was made by the MCMC to the April 28, 2021 request.

24. Relator Julie Dean requested CART to Respondent Schooley on May 3, 2021 in a hearing. The transcripts of this request clearly show the request and clarification.¹ (Exhibit F, pg 3, ln, 10-25; pg4, ln 1-23)
25. Respondent Schooley denied Relator Julie Dean's request for accommodation in the May 3, 2021 hearing.
26. CART, recordings of the hearings and the presence of the Relators' ADA Advocate were ADA accommodations requested for both Relators on June 2, 2021 (Exhibit G, pg 3, para1-4) and June 10, 2021 (Exhibit H) by email to Respondent Schooley's claimed DRE, Sabah Al and copied to Respondent Schooley and his Clerk of Courts, Tammy Terpening.²
27. Respondent Schooley received the June 2, 2021 and June 10, 2021 emails.
28. Tammy Terpening received the June 2, 2021 and June 10, 2021 emails.
29. Sabah Al received the June 2, 2021 and June 10, 2021 emails.
30. Sabah Al never responded to the Relators for these emails.
31. These emails were then sent by FEDEX to Tammy Terpening with a confirmed receipt on June, 25, 2021. (Exhibit B)

1 Relator Sam Dean chose not to ask for accommodations, but to ask for the MCMC DRE/ADA Coordinator after seeing the abuse and humiliation the court inflicted on his wife, Relator Julie Dean. Respondent Schooley denied Relator Julie Dean's request for CART out of hand.

2 Respondent Schooley told the Relators in a hearing on May 24, 2021, that Sabah Al was the DRE when in fact she was not. Respondent Schooley's attorney of record, Prosecutor Nicholas Adkins had confirmed on May 5, 2021, with MC Administrator Robert Slane that MC had no DRE. This email exchange was in response to the Relators' requests at the May 3, 2021 hearing. The email was obtained through an Open Records Request to Nicholas Adkins. (Exhibit A)

32. CART, recordings of the hearings and the presence of the Relators ADA Advocate were ADA accommodations requested for both Relators on July 8-12, 2021 by email to the legitimate (as of June 21, 2021) DRE, Susan Thompson.³ (Exhibit I)

33. The July 8-12 email (Exhibit I) was obtained from Susan Thompson in an Open Records request. This specific string of emails was sent to Rickelle Davis, the Assistant Prosecuting Attorney for the Relators' cases. After the email exchange (Exhibit I) between the Relators' ADA Advocate and the MCMC ADA Coordinator, Susan Thompson, the Relators' ADA Advocate sent the emails to Respondent Schooley, also, so he would know that his ADA Coordinator had the Relators' accommodation requests. This final email was copied to the MCMC Clerk of Courts, Tammy Terpening. (Exhibit J)

34. The July 13, 2021 hearing was to discuss all motions to include the Relators' ADA accommodation requests in order for the Relators to have full and equal access to hearings at the MCMC. The Relators were still not accommodated prior to the hearing so they could not fully and equally participate. The Relators self-accommodated by reading from a prepared statement until the court could act on the accommodation requests.

35. At the July 13, 2021 hearing, the Relators informed Respondent Schooley that they had provided their ADA accommodation requests to his court's ADA Coordinator, Susan Thompson. (Exhibit E, pg 4, ln 23-25)

³ See Commissioners Journal, Madison County, Ohio – No. 94 (June 22, 2021) (approving resolution appointing Ms. Susan Thompson as ADA Coordinator). See also *Bd. of Trs. v. Keith*, 12th Dist. No. CA93-078-060, 1994 Ohio App. LEXIS 1328, *4 (Mar. 28, 1994) (approving judicial notice of township resolution).

36. At the July 13, 2021 hearing, Respondent Schooley acknowledged hearing that his ADA Coordinator had the Relators' accommodation requests. (Exhibit E, pg 5, ln 4-5).

37. Respondent Schooley received every email requesting ADA accommodations by the Relators.

38. Respondent Schooley denied the Relators' ADA accommodation requests in Entries dated July 27, 2021. This denial claimed that the Relators would not tell Respondent Schooley their ADA accommodation requests. The denial fails to provide the reasoning allowed in 28 CFR 35.164. (Exhibit K)

39. The Relators were limited by their disabilities during the trial on July 29, 2021 for fear of triggering and by missed communications that were essential to mounting a proper defense at the trial. The Relators feared that if Relator Sam Dean triggered, he (they) would be physically harmed by the law enforcement at the immediate disposal of Respondent Schooley. Relator Sam Dean's back was in pain from the chair, and he had difficulty concentrating on the proceedings. Relator Julie Dean was unable to hear all of the proceedings and had to rely on Relator Sam Dean to explain the statements she did not hear.

40. Respondent Schooley refused to coordinate with his DRE, Susan Thompson, claiming that to do so would constitute an ex parte meeting that was illegal.

41. The Relators have no recourse to Federal District Court because they are convicted in State court. Heck v. Humphrey, 512 U.S. 477 (1994), blocks a suit by the Relators as explained in Dean v. Schooley 2:21-cv-02582-EAS-CMV Doc #50 Filed: 09/22/22 PAGEID # 413-418, Opinion and Order.

42. A complaint to the U.S. Department of Justice (DOJ) would be blocked for the same reason if the DOJ attempted to file suit on behalf of the Relators.

FIRST CLAIM FOR RELIEF: WRIT OF MANDAMUS

43. Allegations set forth in all paragraphs are incorporated herein by reference.

44. The documents sought fall under Rules of Superintendence 44-47 and this writ under ROS 47(B).⁴

45. Respondent's denial of Relators' right to access public records violates the ROS and the ORA that the ROS must follow, in that no valid exemption applies to the public records sought. State ex rel. MADD Gosser, 20 Ohio St. 3d 30 (1985)

46. Pursuant to ROS 45(A) and Ohio Rev. Code §143.49(C)(1), Relators are entitled to a conclusive presumption of injury arising from the loss of use of the public records sought.

47. Pursuant to ROS 47(B) and Ohio Rev. Code §143.49(C), Relators are entitled to a writ of mandamus from this court commanding Respondent to comply with ROS 44-47 and Chapter 149.43 of the Ohio Revised Code and to otherwise restore Relators' right to obtain copies of the public records sought – in this case, receive copies via email IAW Madison County policy.

48. Relators request the documents required by 28 CFR 35.164 for denying their ADA accommodation requests, by way of writ of mandamus.

SECOND CLAIM FOR RELIEF: MONETARY DAMAGES

49. Allegations set forth in all paragraphs are incorporated herein by reference.

⁴ State ex rel. Bey v. Byrd, 160 Ohio St.3d 141, 2020-Ohio-2766, ¶ 15, while the Rules of Superintendence apply to case documents created on or after July 1, 2009, "it is not necessary to cite a particular rule or statute in support of a records request until the requester attempts to satisfy the more demanding standard applicable when claiming that he is entitled to a writ of mandamus to compel compliance with the request"

50. Relators are entitled to money damages in the amount of one hundred dollars (\$100) for each day that Respondent improperly caused Relators to lose access to the public records. Ohio Rev. Code § 143.49(C)(1), beginning on the day of filing of this action, up to a total of \$1000.

51. Relators request any additional damages authorized considering the length of time and clear refusal in spite of knowledge of the requests.

52. Courts are listed explicitly under O.R.C. 149.011(B) as falling under the PRA and the provisions for monetary damages.

53. Respondent Schooley is an elected official and the administrative judge for his court and is responsible for the public records sought by the Relators under O.R.C 1901.09(A).

54. This action highlights the need for the damages included in the ORA that were left out of the ROS 44-47. A court official of integrity will provide records under the ROS, while a court official who lacks integrity will not provide records unless there is a penalty for not following the law.

PRAYER FOR RELIEF

WHEREFORE, Relators respectfully prays that this Court:

1. Issue a Writ of Mandamus commanding Respondent Schooley to restore Relators' right to access requested public records;
2. Enter judgment that Respondent's stated reasons for denial of the people's right of access to requested public records are unlawful and against the public interest;
3. Enter judgment in Relators' favor for monetary damages, costs, and reasonable fees of this action, and other such relief as the Court deems just and proper.

4. If the Respondent has failed to write the document required by 28 CFR 35.164, Issue a Writ of Mandamus commanding Respondent to produce the letter IAW 28 CFR 35.164 and then provide it to the Relators.

DETAILS OF THE CLAIM

1. The Relators have attempted to obtain the requested documents since October 2022.

Respondent Schooley has ignored his responsibility as a public servant and flaunted the protections provided by the ROS 44-47.

2. The documents required by 28 CFR 35.164, with the appropriate statement of reason, have never been provided.

3. Respondent Schooley received the Relators' ADA accommodation requests in multiple forms and through multiple means during the trial proceedings. These requests are confirmed by the record of the trial proceedings and documents outside of the record. (Exhibits E-J) Respondent Schooley claimed that the Relators would not tell him what their accommodation requests were in an Entry filed on July 27, 2021. (Exhibit K) Respondent Schooley claimed that the Relators would not tell him what their accommodation requests were during the trial on July 29, 2021. (Exhibit L, pg 17, ln 6-25, pg 18, ln 1-4).


4. The Relators were fully aware that Respondent Schooley had been informed of their ADA accommodation requests. This created a situation of extreme stress since the Relators were wholly dependent on Respondent Schooley's integrity.

5. Respondent Schooley, in a Writ of Mandamus (2022-1542) response, recently provided the emails from the Relators that requested the ADA accommodations. Apparently, Respondent Schooley had the Relators' ADA accommodation requests the entire time.

In the end, the Relators simply want their secured rights honored and the documents provided to them.

DATED this 18 day of July 2023

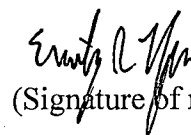
I, Samuel J. Dean, Relator, being duly sworn state that the allegations contained in the foregoing complaint are true and accurate as he verily believes. All information is first hand knowledge.


Samuel J. Dean, Relator
Pro se
9500 State Route 736
Plain City, Ohio 43064

State of Ohio, County of Union

Samuel J. Dean, Relator being duly sworn on this 18th day of the month of July,

2023 states that the allegations contained in the foregoing complaint are true and accurate as he verily believes.



(Signature of notary public administering jurat)



Emily R. Thompson
Notary Public, State of Ohio
My Commission Expires

05-02-2027

(Affix seal here)


~~Emily R. Thompson
Notary Public, State of Ohio
My Commission Expires~~



(Title of rank), (Commission expiration date)

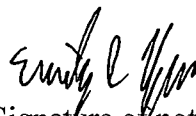
I, Julie A. Dean, Relator, being duly sworn state that the allegations contained in the foregoing complaint are true and accurate as she verily believes. All information is first hand knowledge.


Julie A. Dean, Relator
Pro se
9500 State Route 736
Plain city, OH 43064

State of Ohio, County of Union

Mr. A. Dean, Relator being duly sworn states on this 18th day of the month of July,

2023 that the allegations contained in the foregoing complaint are true and accurate as she verily believes.


(Signature of notary public administering jurat)



Emily R Thompson
Notary Public, State of Ohio
My Commission Expires

05-02-2027

(Affix seal here)

(Title of rank), (Commission expiration date)

CERTIFICATE OF SERVICE

We certify a copy of the foregoing PETITION FOR WRIT OF MANDAMUS has been sent by electronic means this 18 day of July, 2023 to the Respondent.

Andrew N. Yosowitz at ayosowitz@teetorlaw.com
Sarah A. Lodge at slodge@teetorlaw.com
For
Eric Schooley

Nick Adkins

From: Rob Slane
Sent: Wednesday, May 5, 2021 2:40 PM
To: Nick Adkins
Subject: RE: ADA

Good question and I'm not sure I have a good answer. When it comes to ADA situations we rely on Susan Thompson at DD.

Rob Slane



Rob Slane
Madison County Administrator
Madison County Commissioners Office
1 North Main St. London, Ohio 43140
Office 740.852.2972. | Mobile 614.314.8457
Rob.Slane@madison.oh.gov

From: Nick Adkins <Nick.Adkins@madison.oh.gov>
Sent: Wednesday, May 5, 2021 2:38 PM
To: Rob Slane <Rob.Slane@madison.oh.gov>
Subject: ADA

Rob-

Dealing with an odd situation today...

Does the County have a designated responsible employee under ADA?

See 28 CFR § 35.107 - Designation of responsible employee and adoption of grievance procedures.

Nick

Exhibit A



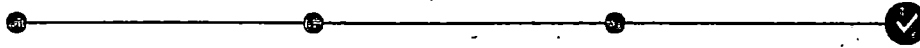
FedEx® Tracking

280552062230

ADD NICKNAME



Delivered
Friday, June 25, 2021 at 12:33 pm



DELIVERED

Signed for by: B.BECK

GET STATUS UPDATES

OBTAIN PROOF OF DELIVERY

Direct signature required ⓘ

FROM
LUBBOCK, TX US

TO
LONDON, OH US

Travel History

TIME ZONE
Local Scan Time

Friday, June 25,
2021

12:33 PM

LONDON, OH

Delivered

Shipment Facts

TRACKING NUMBER
280552062230

SERVICE
FedEx Express Saver

SHIPPER REFERENCE
SON OF A BEACH

SPECIAL HANDLING SECTION
Dellver Weekday, Direct Signature Required

SHIP DATE
6/18/21 ⓘ

SHIPMENT-FACTS.COD-DETAIL
\$0.00

SIGNATURE SERVICES
Direct signature required ⓘ

ACTUAL DELIVERY
6/25/21 at 12:33 pm

Exhibit B

Open Records Request for Written Statement for Denying ADA Accommodations in Proceedings (highlights in italics or bold)

From: Sam Dean (samueldean9@yahoo.com)

To: eric.schooley@madison.oh.gov; eschooley@co.madison.oh.u

Cc: susan.thompson@madison.oh.gov; brooke.sullivan@madison.oh.gov; rob.slane@madison.oh.gov; tammy.terpening@madison.oh.gov; commissioners@madison.oh.gov; nick.adkins@madison.oh.gov; dean.homestead9@yandex.com; judy.rowe@madison.oh.gov

Date: Monday, October 24, 2022 at 09:41 PM EDT

To: Eric Schooley, Executive of Madison County Municipal Court (MCMC)

Relating to the proceedings in the Madison County Municipal Court from March to July 2021 for cases CRB 2100235 A&B & 2100236 A&B.

Please provide the written statement of the reasons for denying Julie Dean her requested ADA accommodation "CART" IAW 28 CFR 35.164.

Please provide the written statement of the reasons for denying Sam Dean his requested ADA accommodation "CART" IAW 28 CFR 35.164.

Please provide the written statement of the reasons for denying Julie Dean her requested ADA accommodation "audio recordings" IAW 28 CFR 35.164.

Please provide the written statement of the reasons for denying Sam Dean his requested ADA accommodation "audio recordings" IAW 28 CFR 35.164.

Julie Dean requested Computer Aided Real-Time translation (CART) and stated that she had an auditory disability at the May 3, 2021 (attached). Julie Dean was never provided this ADA accommodation for the entire proceedings ending on July 29, 2021.

Julie and Sam Dean requested CART by emails (attached). Sam Dean was never provided this requested ADA accommodation.

Julie and Sam Dean requested audio recordings of the proceedings in formats usable without specialized readers or programs in the emails (attached). Julie and Sam Dean were never provided this ADA accommodation.

These written documents are required by the ADA (28 CFR 35.164) and should be available for sending within days of this request. If these requests cannot be filled within one week, please provide a written explanation as to why these documents are not available for sending immediately. Eric Schooley, Tammy Terpening, and Susan Thompson should have access to these documents.

References: The Americans with Disabilities Act Title II of the 28 CFR 35:

Exhibit D 1/26

Supplementary Information, Relationship to Other Laws, (b) Other Laws, "Public entities that are subject to the ADA as well as other Federal disability discrimination laws must be aware of the requirements of all applicable laws and must comply with these laws and their implementing regulations."

.101(b) Broad coverage. The primary purpose of the ADA Amendments Act is to **make it easier for people with disabilities to obtain protection under the ADA**. Consistent with the ADA Amendments Act's purpose of reinstating a broad scope of protection under the ADA, the definition of "disability" in this part shall be construed broadly in favor of expansive coverage to the maximum extent permitted by the terms of the ADA. **The primary object of attention in cases brought under the ADA should be whether entities covered under the ADA have complied with their obligations and whether discrimination has occurred, not whether the individual meets the definition of disability. The question of whether an individual meets the definition of disability under this part should not demand extensive analysis.**

.104 Definitions.

Auxiliary aids and services includes—

(1) Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; **real-time computer-aided transcription services**; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

(2) Qualified readers; taped texts; **audio recordings**; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;

.108 Definition of disability

(a)

(2) Rules of construction.

(i) The definition of "disability" shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA.

(e) Has a record of such an impairment.

(1) **An individual has a record of such an impairment if the individual has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.**

(2) Broad construction. Whether an individual has a record of an impairment that substantially limited a major life activity shall be construed broadly to the maximum extent

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permitted by the ADA and should not demand extensive analysis. An individual will be considered to fall within this prong of the definition of "disability" if the individual has a history of an impairment that substantially limited one or more major life activities when compared to most people in the general population, or was misclassified as having had such an impairment. In determining whether an impairment substantially limited a major life activity, the principles articulated in paragraph (d)(1) of this section apply.

.130 General prohibitions against discrimination

(b)

(3) A public entity may not, directly or through contractual or other arrangements, utilize criteria or methods of administration—

(i) That have the effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability;

(ii) That have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the public entity's program with respect to individuals with disabilities; or

(7)

(i) A public entity **shall make** reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, **unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.**

.160 General.

(b)

(1) A public entity **shall furnish appropriate auxiliary aids and services** where necessary to afford qualified individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity.

(2) The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. **In determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities.** In order to be effective, auxiliary aids and services **must be provided** in accessible formats, **in a timely manner, and in such a way as to protect the privacy** and independence of the individual with a disability.

.164 Duties.


This subpart does not require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance with this subpart would result in such alteration or burdens. **The decision that compliance would result in such alteration or burdens must be made by the head of the public entity or his or her designee after considering all resources**


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available for use in the funding and operation of the service, program, or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action required to comply with this subpart would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the public entity.

Attached:

- 1) the transcripts of the May 3, 2021 hearing in which Julie Dean explicitly requests CART and Judge Schooley denies the ADA accommodation request on pages 3-4.
- 2) emails to Judge Schooley, Tammy Terpening, Sabah Al, Robyn Scott, & Judy Rowe requesting CART & recordings for Julie and Sam Dean. Sabah Al was the ADA coordinator provided by Judge Schooley to the Deans during the May 24, 2021 hearing.
- 3) the transcripts of the May 24, 2021 hearing in which Judge Schooley claims that Sabah Al is his court's ADA coordinator on pages 5-6.

 2021-043 Dean Mad Co Muni Ct Pretrial 5-3-2021.pdf
110.8kB

 ADA Documents emails & FEDEX.pdf
14.2MB

 2021-044 Dean Mad Co Muni Ct PRETRIAL 5-24-21.pdf
124.4kB

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Fw: Open Records Request for Written Statement for Denying ADA Accommodations in Proceedings (highlights in italics or bold)

From: Sam Dean (samueldean9@yahoo.com)
To: eschooley@co.madison.oh.us
Date: Monday, October 24, 2022 at 09:43 PM EDT

----- Forwarded Message -----

From: Sam Dean <samueldean9@yahoo.com>
To: eric.schooley@madison.oh.gov <eric.schooley@madison.oh.gov>; eschooley@co.madison.oh.u <eschooley@co.madison.oh.u>
Cc: Susan Thompson <susan.thompson@madison.oh.gov>; Brooke Sullivan <brooke.sullivan@madison.oh.gov>; Rob Slane <rob.slane@madison.oh.gov>; tammy.terpening@madison.oh.gov <tammy.terpening@madison.oh.gov>; commissioners@madison.oh.gov <commissioners@madison.oh.gov>; Nick Adkins <nick.adkins@madison.oh.gov>; Julie Dean <dean.homestead9@yandex.com>; judy.rowe@madison.oh.gov <judy.rowe@madison.oh.gov>
Sent: Monday, October 24, 2022 at 09:41:04 PM EDT
Subject: Open Records Request for Written Statement for Denying ADA Accommodations in Proceedings (highlights in italics or bold)

To: Eric Schooley, Executive of Madison County Municipal Court (MCMC)

Relating to the proceedings in the Madison County Municipal Court from March to July 2021 for cases CRB 2100235 A&B & 2100236 A&B.

Please provide the written statement of the reasons for denying Julie Dean her requested ADA accommodation "CART" IAW 28 CFR 35.164.

Please provide the written statement of the reasons for denying Sam Dean his requested ADA accommodation "CART" IAW 28 CFR 35.164.

Please provide the written statement of the reasons for denying Julie Dean her requested ADA accommodation "audio recordings" IAW 28 CFR 35.164.

Please provide the written statement of the reasons for denying Sam Dean his requested ADA accommodation "audio recordings" IAW 28 CFR 35.164.

Julie Dean requested Computer Aided Real-Time translation (CART) and stated that she had an auditory disability at the May 3, 2021 (attached). Julie Dean was never provided this ADA accommodation for the entire proceedings ending on July 29, 2021.

Julie and Sam Dean requested CART by emails (attached). Sam Dean was never provided this requested ADA accommodation.

Julie and Sam Dean requested audio recordings of the proceedings in formats usable without specialized readers or programs in the emails (attached). Julie and Sam Dean were

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never provided this ADA accommodation.

These written documents are required by the ADA (28 CFR 35.164) and should be available for sending within days of this request. If these requests cannot be filled within one week, please provide a written explanation as to why these documents are not available for sending immediately. Eric Schooley, Tammy Terpening, and Susan Thompson should have access to these documents.

References: The Americans with Disabilities Act Title II of the 28 CFR 35:

Supplementary Information, Relationship to Other Laws, (b) Other Laws, "Public entities that are subject to the ADA as well as other Federal disability discrimination laws must be aware of the requirements of all applicable laws and must comply with these laws and their implementing regulations."

.101(b) Broad coverage. The primary purpose of the ADA Amendments Act is to ***make it easier for people with disabilities to obtain protection under the ADA***. Consistent with the ADA Amendments Act's purpose of reinstating a broad scope of protection under the ADA, the definition of "disability" in this part shall be construed broadly in favor of expansive coverage to the maximum extent permitted by the terms of the ADA. ***The primary object of attention in cases brought under the ADA should be whether entities covered under the ADA have complied with their obligations and whether discrimination has occurred, not whether the individual meets the definition of disability. The question of whether an individual meets the definition of disability under this part should not demand extensive analysis.***

.104 Definitions.

Auxiliary aids and services includes—

(1) Qualified interpreters on-site or through video remote interpreting (VRI) services; notetakers; ***real-time computer-aided transcription services***; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

(2) Qualified readers; taped texts; ***audio recordings***; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible electronic and information technology; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;

.108 Definition of disability

(a)

(2) Rules of construction.

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(i) The definition of "disability" shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA.

(e) Has a record of such an impairment.

(1) **An individual has a record of such an impairment if the individual has a history of**, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(2) Broad construction. Whether an individual has a record of an impairment that substantially limited a major life activity shall be construed broadly to the maximum extent permitted by the ADA and should not demand extensive analysis. An individual will be considered to fall within this prong of the definition of "disability" if the individual has a history of an impairment that substantially limited one or more major life activities when compared to most people in the general population, or was misclassified as having had such an impairment. In determining whether an impairment substantially limited a major life activity, the principles articulated in paragraph (d)(1) of this section apply.

.130 General prohibitions against discrimination

(b)

(3) A public entity may not, directly or through contractual or other arrangements, utilize criteria or methods of administration—

(i) That have the effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability;

(ii) That have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the public entity's program with respect to individuals with disabilities; or

(7)

(i) A public entity **shall make** reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, **unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.**

.160 General.

(b)

(1) A public entity **shall furnish appropriate auxiliary aids and services** where necessary to afford qualified individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity.

(2) The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. **In determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities.** In order to be effective, auxiliary aids and services **must be**

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provided in accessible formats, **in a timely manner, and in such a way as to protect the privacy** and independence of the individual with a disability.

.164 Duties.

This subpart does not require a public entity to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. In those circumstances where personnel of the public entity believe that the proposed action would fundamentally alter the service, program, or activity or would result in undue financial and administrative burdens, a public entity has the burden of proving that compliance with this subpart would result in such alteration or burdens. **The decision that compliance would result in such alteration or burdens must be made by the head of the public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity and must be accompanied by a written statement of the reasons for reaching that conclusion.** If an action required to comply with this subpart would result in such an alteration or such burdens, a public entity shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the public entity.

Attached:

- 1) the transcripts of the May 3, 2021 hearing in which Julie Dean explicitly requests CART and Judge Schooley denies the ADA accommodation request on pages 3-4.
- 2) emails to Judge Schooley, Tammy Terpening, Sabah Al, Robyn Scott, & Judy Rowe requesting CART & recordings for Julie and Sam Dean. Sabah Al was the ADA coordinator provided by Judge Schooley to the Deans during the May 24, 2021 hearing.
- 3) the transcripts of the May 24, 2021 hearing in which Judge Schooley claims that Sabah Al is his court's ADA coordinator on pages 5-6.



2021-043 Dean Mad Co Muni Ct Pretrial 5-3-2021.pdf
110.8kB



ADA Documents emails & FEDEX.pdf
14.2MB



2021-044 Dean Mad Co Muni Ct PRETRIAL 5-24-21.pdf
124.4kB

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IN THE MADISON COUNTY MUNICIPAL COURT OF LONDON, OHIO

- - -

State of Ohio,)

Plaintiff,)

-vs-) Case No. CRB 2100236 A & B

Samuel Dean,) Appeal No. CA 2021-08-013

Defendant.)

and

State of Ohio,)

Plaintiff,)

-vs-) Case No. CRB 2100235 A & B

Julie Dean,) Appeal No. CA 2021-08-013

Defendant.)

- - -

TRANSCRIPT OF PROCEEDINGS

Before the Honorable Eric M. Schooley, Judge of
the Madison County Municipal Court, on Monday, May 24, 2021,
from 9:32 A.M. to 9:39 A.M.

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APPEARANCES:

Ms. Rickelle A. Davis, Assistant Prosecuting Attorney, of the Madison County Prosecutor's Office, 59 North Main Street, London, Ohio, 43140, on behalf of the Plaintiff, the State of Ohio.

Mr. Samuel Dean, Defendant, pro se; and Ms. Julie Dean, Defendant, pro se.

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Monday, May 24, 2021.

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(THE DIGITAL RECORDING EQUIPMENT WAS TURNED ON.)

- - -

(THEREUPON, THE FOLLOWING PROCEEDINGS WERE HELD IN THE PRESENCE OF THE COURT, THE ASSISTANT PROSECUTING ATTORNEY, AND THE DEFENDANTS, PRO SE.)

- - -

THE COURT: Next.

MS. DAVIS: State versus Julie Dean.

THE COURT: Okay. CRB 2100235. The matter comes on for pretrial. As I stated, all the jury trials this week are being moved so we can attend funeral services for one of our staff members. Anything else we need to address today? My intention is we've received a motion from Mr. Shirtzinger on a withdraw. We'll set that for a motion hearing. Additionally, there's been filings. I guess the only way to read those is motion. We'll just do everything on a motion hearing date at that time. Everybody can say whatever they want with regard to their different motions that they've made to the Court. And let everybody have a chance to say whatever they want to say. Anything else, Mr. Shirtzinger, Ms. Dean?

DEFENDANT JULIE DEAN: Your Honor. Yes.

THE COURT: Go ahead.

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1 DEFENDANT JULIE DEAN: Seth does not
2 represent me at this time, so I will be speaking for me.
3 Also, I've requested and want -- (TALKING OVER EACH OTHER.)

4 THE COURT: So I need to -- I'm sorry.

5 DEFENDANT JULIE DEAN: -- my ADA advocate
6 here --

7 THE COURT: Ms. Dean --

8 DEFENDANT JULIE DEAN: -- before I say
9 anything else.

10 THE COURT: That's fine. Whatever. Mrs.
11 Dean --

12 DEFENDANT JULIE DEAN: Granted or denied?

13 THE COURT: Ms. Dean, are you discharging
14 Mr. Shirtzinger or --

15 DEFENDANT JULIE DEAN: I already have. Yes,
16 your Honor.

17 THE COURT: The last time you just said you
18 wanted to be second chair. There's a difference between
19 somebody being second chair --

20 DEFENDANT JULIE DEAN: I'm discharging --

21 THE COURT: Okay.

22 DEFENDANT JULIE DEAN: I am discharging the
23 public defender.

24 THE COURT: Okay. I just need to make the
25 record clear. On an earlier date, you filed a sworn

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1 affidavit that you were indigent and needed indigent
2 counsel. And at this time you're now saying that you no
3 longer wish to have court assisted counsel?

4 DEFENDANT JULIE DEAN: That is correct.

5 THE COURT: All right. Mr. Shirtzinger,
6 then that will be -- you'll be free to go. I'll sign off on
7 your request at this time. That being the case then, we'll
8 set for a motion hearing here in about two weeks. At that
9 time, Mrs. Dean, I'll listen to any requests that you have
10 with regard to any advocacy or anything that you need from
11 the Court. At this time I've been unable to decipher what
12 it is that you're asking for.

13 DEFENDANT JULIE DEAN: I'm asking for my ADA
14 advocate to be here.

15 THE COURT: The county has, I believe, Sadah
16 is the court appointed advocate for the county. I'm not
17 sure if you make contact --

18 DEFENDANT JULIE DEAN: Okay. I need that
19 person's name and contact information.

20 THE COURT: It's Sadah and it's the general
21 directory, as I assume. I think everything now runs through
22 one phone number for the county.

23 DEFENDANT JULIE DEAN: I would like the name
24 and phone number, please.

25 THE COURT: Yeah. Her name is Sadah. Does

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1 anybody have any direct line?

2 DEFENDANT JULIE DEAN: Sadah. Can you spell
3 that, please?

4 THE COURT: I believe it's S-A-D-A-L.

5 DEFENDANT JULIE DEAN: Last name?

6 UNIDENTIFIED: S-A-D-A-H.

7 THE COURT: A-H? Sadah. I'm sorry.

8 S-A-D-A-H.

9 UNIDENTIFIED: (INAUDIBLE).

10 THE COURT: Yeah. And do you have the
11 direct number? I don't think she -- I don't know if she has
12 a direct number. Everything just goes through the
13 switchboard.

14 UNIDENTIFIED: If you get me those
15 (INAUDIBLE) check on that.

16 MS. DAVIS: Your Honor, while she's checking
17 on that, the State did also file additional supplemental
18 discovery. I have a copy here for Mrs. Dean, so.

19 THE COURT: All right. Very good.

20 UNIDENTIFIED: I have the number.

21 THE COURT: Okay. You can go ahead and read
22 it off if you have her direct number. This is her direct
23 number.

24 UNIDENTIFIED: 740-845-1655, extension 1015.

25 THE COURT: Okay.

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1 DEFENDANT JULIE DEAN: Okay. And I also
2 want my ADA advocate here. So I will be speaking with the
3 ADA coordinator of the county, but I request -- I have
4 requested that my ADA advocate be present.

5 THE COURT: Well, they can --

6 DEFENDANT JULIE DEAN: And I believe there
7 is something in the docket on that.

8 THE COURT: I don't know. I haven't looked
9 at it this morning. But they can come to court. Whether or
10 not they're going to be allowed to participate, if they're
11 not a lawyer, then they won't participate in that capacity.
12 If they establish that there's some need that you have in
13 order to continue with your case, then we'll listen to that.
14 Same position that we take with every case every day. If
15 there's some need that you have, then we'll address it. At
16 this point, I'm unaware of what it is, so.

17 DEFENDANT JULIE DEAN: I will discuss that
18 only with my ADA advocate and the ADA coordinator.

19 THE COURT: That's fine. We're going to set
20 it for a motion hearing so that can be addressed with the
21 Court. I would think that you understand that I can't
22 provide you with something if you don't tell me what it is
23 that you want.

24 DEFENDANT JULIE DEAN: I have requested this
25 from the beginning, your Honor.

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1 THE COURT: And refused to tell me what it
2 is.

3 DEFENDANT JULIE DEAN: I am not required to
4 discuss my condition with you in a public court of law.

5 THE COURT: I didn't ask you to.

6 DEFENDANT JULIE DEAN: I want to talk with
7 my ADA coordinator -- (TALKING OVER EACH OTHER.)

8 THE COURT: I'm asking you what -- I'm
9 asking you what you need.

10 DEFENDANT JULIE DEAN: -- and my ADA
11 advocate. And that's who I will discuss it with prior to
12 anything.

13 THE COURT: That's fine. And we're going to
14 proceed with this case going forward. We're still going to
15 have the trial. That's all still going to happen. That's
16 fine. So we're going to set it for a motion hearing. We'll
17 determine if any of those things are needed or necessary,
18 and we'll proceed just like every other case. So can we
19 have a motion hearing date.

20 CLERK: Next Tuesday?

21 THE COURT: Yeah. I'd say 10:30.

22 CLERK: June 29th at 10:30.

23 DEFENDANT JULIE DEAN: What time, please?

24 THE COURT: 10:30. Mrs. Davis will give you
25 a copy of the notice.

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1 MS. DAVIS: (INAUDIBLE) that next date is.

2 Can you sign that bottom line?

3 DEFENDANT JULIE DEAN: Uh-huh.

4 THE COURT: All right. Next case.

5 MS. DAVIS: State versus Samuel Dean.

6 THE COURT: CRB 2100236. And what's our
7 status today?

8 MS. DAVIS: Your Honor, I didn't have a
9 chance to speak with him, but likewise, I do have additional
10 supplemental discovery that was filed this morning that I am
11 handing over to Mr. Dean.

12 THE COURT: Very good. Same disposition.
13 We'll set it for a hearing date. Mr. Dean, anything else
14 you wish to address the Court on?

15 DEFENDANT SAMUEL DEAN: I have requested and
16 my ADA advocate here before I say anything.

17 THE COURT: That's fine. Again, you were in
18 the courtroom for all the other matters. I'm sure you heard
19 that the county has a person. You're free to contact them.
20 We'll set it for -- what was that date?

21 CLERK: June 29th at 10:30.

22 THE COURT: June 29th. After that, whenever
23 there's any motions that are still pending at that time,
24 will be resolved on that date. And then the case -- what I
25 plan on doing is just setting it for next available date on

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1 the Court's docket, which I'll just make it on the next
2 Thursday after that.

3 DEFENDANT SAMUEL DEAN: Your Honor, I didn't
4 hear that.

5 THE COURT: I'm sorry. You're going to have
6 the motion hearings for everything that's been filed on
7 June 29th. Okay. And then once those are resolved, then we
8 do trials on Thursdays. So we'll set it on the next week of
9 the Thursday following for trial. Okay.

10 DEFENDANT SAMUEL DEAN: Okay.

11 THE COURT: All right. Very good.

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13 (THEREUPON, THE HEARING CONCLUDED AT 9:29 A.M. ON
14 MAY 24, 2021.)

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CERTIFICATE

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I, Tammy G. Kleiber, Court Reporter and Notary Public, do hereby certify that the foregoing, consisting of 11 pages, together with exhibits, if any, is a true and accurate transcript as transcribed by me of the digitally recorded proceedings conducted in that court on the 24th day of May, 2021, before the Honorable David Owens, Magistrate of said Court.

Subscribed this 6th day of November, 2021.

Tammy G. Kleiber
Court Reporter and
Notary Public in and for
the State of Ohio. My
commission expires
on 6/1/2023.

D 19/26

INVOCATION OF ADA RIGHTS, CLAIM OF DISCRIMINATION AND DENIAL OF ACCESS.

From: ADA Rights <adarights@protonmail.com>
To: sal@co.madison.oh.us <sal@co.madison.oh.us>
Greenbean950@protonmail.com <Greenbean950@protonmail.com>
eschooley <eschooley@co.madison.oh.us>
Date: Wednesday, June 2nd, 2021 at 10:59 AM

Dear ADA Coordinator or designated responsible employee:

ABSENT INTENT OR AUTHORITY AS LEGAL ADVICE.

TIME IS OF THE ESSENCE. You are currently with a claim of discrimination and denial of access for SAMUEL J. DEAN (CRB2100236 and any other related cases) and JULIE A DEAN (CRB2100235 and any other related cases) on the basis of disability, and I am operating in the capacity as aid and encouragement, which is a protected activity under 42 U.S.C. §12203(b) and 28 C.F.R. §25.134.

It is presumed that you are accustomed to administering ADA under Title I, and this is a claim and activity under Title II of the ADA, which is much different than Title I.

THIS COMMUNICATION IS ISSUED AS AID AND ENCOURAGEMENT FOR QUALIFIED INDIVIDUALS EXERCISING AND ENJOYING RIGHTS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990, THE ADA AMENDMENTS ACT OF 2008 AND FINAL RULE IMPLEMENTATION (COLLECTIVELY "ADA"). THIS IS ALSO ISSUED AS OPPOSITION TO UNLAWFUL ACTS BY ERIC M. SCHOOLEY, BOTH AS JUDICIAL OFFICER, AND INDIVIDUALLY, AND YOU ARE NOTICED OF THE PROTECTION OF 42 U.S.C. §12203(a) & (b), AS IT RELATES TO THIS COMMUNICATION.

For the purposes of obtaining equal access and as aid and encouragement for qualified individuals with disabilities:

1. Where, on your website, co.madison.oh.us, is notice given of equal access, as required by 28 C.F.R. §35.106 ?
2. Where, on your municipal court paperwork or other conspicuous place that is notice for litigants who receive such paperwork, is notice given of equal access, as required by 28 C.F.R. §35.106 ?
3. When Judge Schooley is confronted with someone that claims to be deaf, does Judge Schooley ask them who diagnosed them or for proof of disability?
4. Who is the designated responsible employee for Madison County Ohio as required by 28 C.F.R. §35.107(a) ?
5. Is the designated responsible employee for Madison County Ohio also responsible for the Municipal Court equal access for individuals with disabilities?
6. Please provide your self-evaluation, as required by 28 C.F.R. §35.105(a)
7. Please provide documentation that shows that you provided opportunity to interested persons to participate in the self-evaluation, as required by 28 C.F.R. §35.105(b).
8. Please provide all documentation required to be available for public inspection that is required by 28 C.F.R. §35.105(c).
9. Please provide any and all documentation that gives notice that ERIC SCHOOLEY is authorized to dispense medical or mental health diagnoses from the bench.
10. Please provide any and all documentation that gives notice that ERIC SCHOOLEY is authorized to practice law from the bench.
11. Please provide any and all documentation that gives notice that ERIC M. SCHOOLEY can impartially adjudicate a case in which he has entered as a witness.
12. Please provide any and all documentation that gives notice that ERIC M. SCHOOLEY can impartially adjudicate a case in which he has denied equal access to one or more litigants on the basis of disability in writing.
13. Please provide any and all documentation that shows that you have received ANY training on how to effect communication with individuals with disabilities, and/or effect reasonable modifications.

Requests for reasonable modification for both Julie A. Dean and Samuel J. Dean are as follows:

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1. Please provide any and all existing court recordings both audio and video, that exist for Sam and/or Julie for the following dates:

Mar 31, 2021
May 3, 2021
May 7, 2021
May 12, 2021
May 13, 2021
May 24, 2021
May 28, 2021

2. Please export the above audio and video recordings in a format that is generally accessible such as WMA, AVI, MP4 or MOV. The proprietary software of "For The Record". For The Record proprietary software is not easily navigable for persons with cognitive and communication disabilities, and it is known that exporting to another file type is a function of the licensee of For The Record software, which eliminates the frustration, and confusion caused by the FTR file type to a disabled individual.
3. Please provide ZOOM or other telephonic access for me, as Certified ADA Advocate, to be present, and available to both Sam and Julie Dean, as aid and encouragement for them in the exercise and enjoyment of their rights under the ADA, in any and all future proceedings, as this status is protected by 42 U.S.C. §12203(b);
4. Please provide Computer Aided Real Time (CART) transcription during any and all hearings or other proceedings for Sam and Julie Dean.
5. Please replace Judge ERIC M. SCHOOLEY with a competent, trauma-informed, patient, courteous, and impartial judge for any and all proceedings concerning Sam and Julie Dean.
6. Please provide the name and email address of the designated responsible employee for ADA related matters, as required by 28 C.F.R. §35.107(a) if it is not you.
7. Please provide the protocol for grievances to be registered and investigated concerning ADA related matters.
8. Please provide the above requested documentation so that equal access can be more easily obtained.

Also, per the legal advice of Rickelle A. Davis, Esq (#0099126), who advises on a Motion to quash subpoenas, "these records are procurable through a public records request to the ADA compliance officer in Madison County, HR Director Sabah Al." So, the records requested on the subpoena that Ms. Davis is referring to are hereby requested as additional reasonable modification, so that equal access for disability can be ascertained more easily, specifically those records are:

1. records pertaining to providing the defendants (Sam and Julie Dean) reasonable modifications for their disability under the Americans with Disabilities Act (ADA); including,
 - a) the name, email contact, and physical address of the responsible designated employee that processes requests for reasonable modification and/or complaints according to the Americans with Disabilities Act (ADA); and,
 - b) Eric Schooley's citation of authority to make determinations as to whether or not anyone has a disability; and,
 - c) any and all authoritative evidence that Eric Schooley is without a duty to comply with the Americans with Disabilities Act; and,
 - d) citation, rule of court or memoranda of any authority that empowers Eric Schooley to diagnose whether or not a disability exists with a litigant; and,
 - e) the transcript of each hearing in the above captioned matter (Already asked for in video/audio records above, but transcript would be also used as an auxiliary aid); and,
2. The Court's written policies pertaining to responding to disability accommodations and complaints; and,
3. records of any and all communications between court personnel and other parties that pertain to responding to the defendant's requests for reasonable modifications; and,
4. Any and all records, certifications, or other documentation that proves that Eric Schooley has been trained in how to administratively comply with the ADA.

There may be more requests for reasonable modification, and this is not a waiver of rights.

Please answer and provide the requested reasonable modifications, as per Title II of the Americans with Disabilities Act (1990), the ADA Amendments Act of 2008, and Final Rule Implementation.

You are without immunity, per 42 U.S.C. 12202.

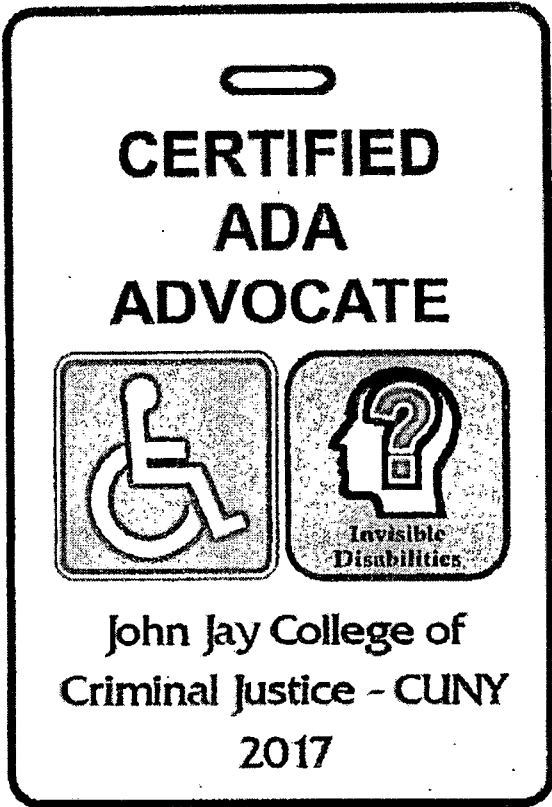
Regards,

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

<https://www.youtube.com/c/ADAVETADVOCACY>

D 21/26



and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

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Absent individual capacity, absent intent or effect of agreement, absent joinder, right of interpretation retained perpetually concerning the words used hereon.

No affiliation or claim of association is presented hereon, and is disclaimed between JAY V SHORE and John Jay College of Criminal Justice and/or NCVLI and/or Lewis and Clark Law School.

Sent with ProtonMail Secure Email.

51.39 KB 1 embedded image

ADA ADVOCATE BADGE.png (51.39 KB)

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DISABILITY DISCRIMINATION is being documented, and this is another chance to remedy it. ADA Request for equal access.

From: adarights@protonmail.com <adarights@protonmail.com>
To: tammy.terpening@madison.oh.gov <tammy.terpening@madison.oh.gov>
BCC: eric.schooley@madison.oh.gov <eric.schooley@madison.oh.gov>
robyn.scott@madison.oh.gov <robyn.scott@madison.oh.gov>
judy.rowe@madison.oh.gov <judy.rowe@madison.oh.gov>
sal <sal@co.madison.oh.us>

Date: Thursday, June 10th, 2021 at 8:40 PM

ADA Rights Trust

To Tammy Terpening as Clerk of the Madison County Municipal Court.

55 North Oak St.

London, OH 43140

Invocation of the rights held by SAMUEL J. DEAN (CRB2100236) and JULIE A. DEAN (CRB2100236) (Jointly, "The Deans") under the protection of 42 U.S.C. §12203(b).

You are hereby with notice that I am acting in capacity as aid and encouragement of The Deans in the exercise and enjoyment of rights they hold under the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, and Final Rule Implementation ("ADA").

Both myself and The Deans have tried repeatedly to find where this Court meets the requirements of 28 C.F.R. part 35. Specifically, who is the designated responsible employee for Madison County and/or the Court as required by 28 C.F.R. §35.107(a)? What is their email address?

I've written Sabah Al, and received no response. Currently, The Deans are being denied equal access, being discriminated against, being intimidated, and interfered with by this Court, in the exercise of their rights under the ADA.

This is being laid at your feet, and you are with notice that 42 U.S.C. §12202, 28 C.F.R. §35.178, and Tennessee v. Lane 541 US

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509, you are without immunity concerning this matter.

Demand is made for disability access that allows written submission to the designated responsible employee of requests for reasonable modification.

This is how Robyn handles ADA requests. Telling me to call legal aid or a lawyer outside of your office? Your discrimination is well documented.

You are prohibited from intimidation, coercion, threats, or interference, with The Deans, in the exercise and enjoyment of their rights under the ADA, and my aid and encouragement of the same. Yet, here we are with interference and intimidation by your office and Eric Schooley, masquerading as an "honorable judge."


I truly don't expect you to do the right thing, but I am indeed documenting that, so that this can be dealt with in Federal Court.

If you are so inclined, I am attaching the requests for reasonable modification and information for equal access sent to Sabah Al, and you are welcome to address this fully. Someone is duty bound to, and you are the Clerk, so you will be the named defendant if this is not dealt with as per Title II ADA guidelines.

You are with notice. Write me back, at adarights@protonmail.com and give me the requested information by date and time certain June 17, 2021, at five o'clock P.M. Eastern Daylight Time, or your tacit agreement with this communication is acknowledged and appreciated.

<https://rumble.com/vidc11-madison-county-oh-municipal-court-robyn-has-no-clue-about-ada-rights.html>

Regards,

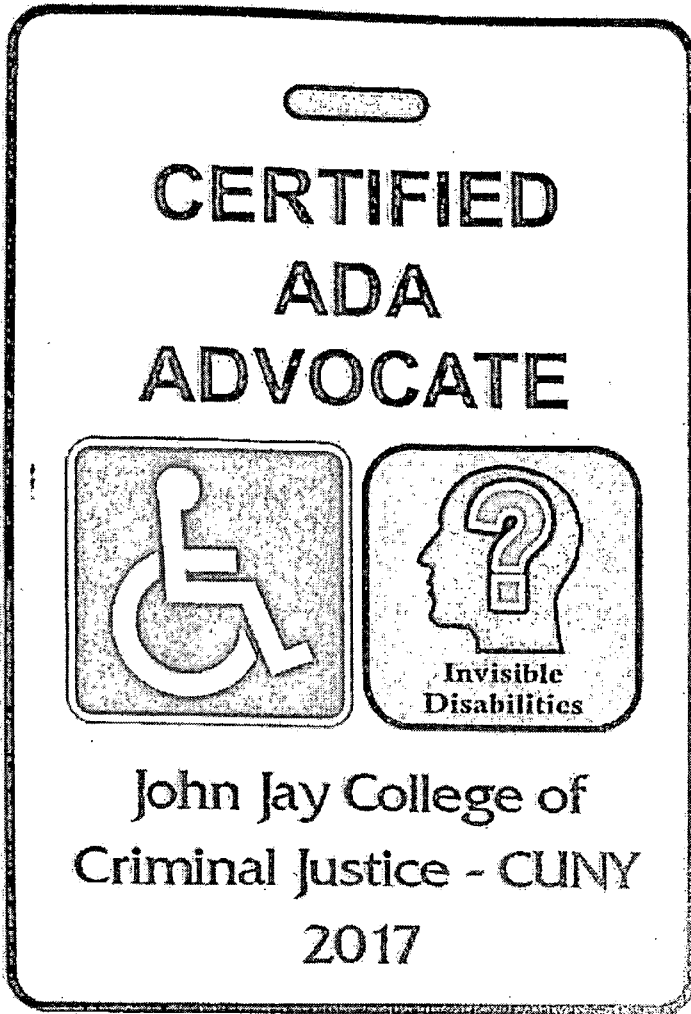


P.D., JAY V. SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

<https://www.youtube.com/c/ADAVETADVOCACY>

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and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)



CONFIDENTIALITY: This transmission and all attachments contain confidential information belonging to the sender and may be protected by attorney-client privilege. The information is intended only for use of the individual or entity named above. If you are not the intended recipient, you are prohibited from disclosing, copying, distributing, or taking any action in reliance on the contents of this transmission. If you have received this transmission in error, please notify me immediately via email, delete the transmission from all forms of electronic or other storage, and destroy all hard copies. Please do NOT forward this transmission.

Absent individual capacity, absent intent or effect of agreement, absent joinder, right of interpretation retained perpetually concerning the words used hereon.

No affiliation or claim of association is presented hereon, and is disclaimed between JAY V SHORE and John Jay College of Criminal Justice and/or NCVLI and/or Lewis and Clark Law School.

Sent with ProtonMail Secure Email.

291.22 KB 2 files attached

-  (573) All mail _ adarights@protonmail.com ... (239.85 KB)
-  ADA ADVOCATE BADGE.png (51.37 KB)

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FEDEX

Express

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ORIGIN ID: L08A (006) 798-1222
3521 50TH ST
Lubbock, TX 79413
UNITED STATES US

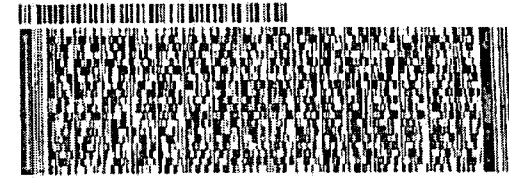
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BILL SENDER

TO

**TAMMY TERPENING - CLERK - MCMC
55 N OAK ST**

LONDON OH 43140

(010) 355-5381
TRK# 2805 5206 2230
REF: SON OF A BEACH
2021

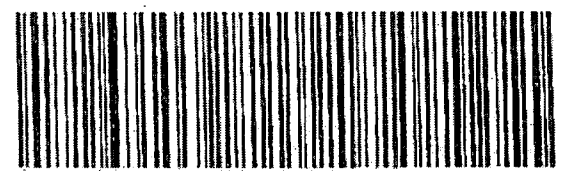


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**WED - 23 JUN 4:30P
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IN THE MADISON COUNTY MUNICIPAL COURT, LONDON, OHIO

State of Ohio,)
Plaintiff,)
-vs-) Case No. CRB 2100236 A & B
Samuel Dean,) Appeal No. CA 2021-08-013
Defendant.)
and	
State of Ohio,)
Plaintiff,)
-vs-) Case No. CRB 2100235 A & B
Julie Dean,) Appeal No. CA 2021-08-13
Defendant.)

TRANSCRIPT OF PROCEEDINGS

- PRETRIAL -

Before the Honorable Eric M. Schooley, Judge of
the Madison County Municipal Court, on Tuesday, July 13,
2021, from 11:07 A.M. to 11:11 A.M.

Exhibit E 1/7

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APPEARANCES:

Unidentified, Assistant Prosecuting Attorney, 59
North Main Street, London, Ohio 43150, on behalf of the
Plaintiff, the State of Ohio.

Mr. Samuel Dean, Defendant, pro se; and Ms. Julie
Dean, Defendant, pro se.

E 2/7

1 Tuesday, July 13, 2021.

2 - - -

3 (THE DIGITAL RECORDING EQUIPMENT WAS TURNED ON.)

4 - - -

5 (THEREUPON, THE FOLLOWING PROCEEDINGS WERE HELD IN
6 THE PRESENCE OF THE COURT, THE ASSISTANT PROSECUTING
7 ATTORNEY, AND THE DEFENDANTS, PRO SE.)

8 - - -

9 THE COURT: Have a seat. Mr. -- take him
10 into custody if he's going to do this. Have a seat. We're
11 not done with court. Have a seat. Well stand. I don't
12 care. At all previous occasions you have refused to tell
13 the Court what it is -- whatever it is you're seeking. The
14 Court can't help you if you don't tell me what it is that
15 you want. At no time have you said what the disability is
16 or what it is you --

17 DEFENDANT SAMUEL DEAN: Judge, the court
18 coordinator has admitted forwarding my ADA request to the
19 Prosecutor. I'm here with copies of those e-mails. I
20 motion -- (TALKING OVER EACH OTHER.)

21 THE COURT: That does nothing for me.

22 DEFENDANT: -- for a dismissal because my
23 ADA rights. And my access to this court has been --
24 (TALKING OVER EACH OTHER) prejudiced and compromised and
25 denied (INAUDIBLE).

E 3/7

1 THE COURT: Thank you, Mr. Dean. That's
2 enough. Set the matter for trial. The next two weeks.
3 Pretrial and jury trial.

4 CLERK: Your Honor, I would request not next
5 week because we have one that already is set that needs
6 (INAUDIBLE) calendar.

7 THE COURT: Please take them into custody.
8 We're not done with court. You're going to be served a
9 summons for your trial. Then you'll be free to go. So the
10 next two weeks out.

11 CLERK: July 26th at 10:30 for the pretrial
12 and July 29th at nine A.M. for the jury trial.

13 THE COURT: Those will be the dates. The
14 Court would acknowledge that Mr. Dean has been offered a
15 notice for his jury trial. He has refused to accept the
16 notice or sign it. Those are the dates for trial. We'll be
17 here at that date. The Court has observed the Prosecutor
18 offered yet a reminder notice to Mr. Dean. He's refused
19 that. Mr. Dean's case is over. He's free to go.

20 Next matter. State of Ohio versus Julie Dean. CRB
21 2100235. We're here on Mrs. Dean's motion for accomodation.
22 You're free to go, Mr. Dean.

23 DEFENDANT JULIE DEAN: Judge, the ADA
24 coordinãtor has admitted forwarding my ADA request to the
25 Prosecutor. And here are the copies of those e-mails. I

E 4/7

1 motion for a dismissal because my ADA rights and my access
2 to this court have been prejudiced, compromised, and denied
3 (INAUDIBLE). May I approach?

4 THE COURT: That motion is denied. No.
5 Mrs. Dean, we're here on your motion for accomodation --

6 DEFENDANT JULIE DEAN: Judge, you have been
7 served.

8 THE COURT: Well, I haven't. Mr. Rudolph,
9 take her into custody if she leaves. We're not done with
10 court. Do you wish to address the Court on your motion?

11 DEFENDANT JULIE DEAN: Judge, the ADA
12 coordinator has admitted forwarding my ADA -- (TALKING OVER
13 EACH OTHER) to the Prosecutor --

14 THE COURT: That's fine. I don't need to
15 hear it again.

16 DEFENDANT JULIE DEAN: -- here are copies of
17 those e-mails. I motion for a dismissal because
18 (INAUDIBLE). (TALKING OVER EACH OTHER.)

19 THE COURT: Pretrial and jury trial.

20 DEFENDANT JULIE DEAN: -- because my ADA
21 rights and my access to this court has been prejudiced.
22 (TALKING OVER EACH OTHER.)

23 CLERK: July 26th at 10:30 for the pretrial
24 and July 29th at nine A.M. for the jury trial.

25 THE COURT: I've received nothing from you.

E 5/7

1 DEFENDANT SAMUEL DEAN: It's been given to
2 you in court. If you want to refuse to have her come up --

3 THE COURT: I have nothing from you. She's
4 refused also to take notice. The trial will take place on
5 those dates. Have a good day.

6 DEFENDANT JULIE DEAN: Judge Eric School ey,
7 you have been served.

8 THE COURT: I have not. I have received
9 nothing.

10

- - -

11 (THEREUPON, THE HEARING CONCLUDED AT 11:11 A.M. ON
12 JULY 13, 2021.)

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CERTIFICATE

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I, Tammy G. Kleiber, Court Reporter and Notary Public, do hereby certify that the foregoing, consisting of 7 pages, together with exhibits, if any, is a true and accurate transcript as transcribed by me of the digitally recorded proceedings conducted in that court on the 13th day of July, 2021, before the Honorable Eric M. School ey, Judge of said Court.

Subscribed this 6th day of November, 2021.

Tammy G. Kleiber
Court Reporter and
Notary Public in and for
the State of Ohio. My
commission expires
on 6/1/2023.

E 7/7

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4 IN THE MADISON COUNTY MUNICIPAL COURT, LONDON, OHIO

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- - -

6 State of Ohio,)

7 Plaintiff,)

8 -vs-) Case No. CRB 2100236 A & B

9 Samuel Dean,) Appeal No. CA 2021-08-013

10 Defendant.)

11 and

12 State of Ohio,)

13 Plaintiff,)

14 -vs-) Case No. CRB 2100235 A & B

15 Julie Dean,) Appeal No. CA 2021-08-013

16 Defendant.)

17

- - -

18 TRANSCRIPT OF PROCEEDINGS

19

- PRETRIAL -

20 Before the Honorable Eric M. Schooley, Judge of

21 the Madison County Municipal Court, on Monday, May 3, 2021,

22 from 10:44 A.M. to 10:47 A.M.

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Exhibit F 1/8

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APPEARANCES:

Unidentified, Madison County Prosecutor's Office,
59 North Main Street, London, Ohio 43150, on behalf of the
Plaintiff, the State of Ohio.

Mr. Samuel Dean, Defendant, pro se; and Ms. Julie
Dean, Defendant, pro se.

1 Monday, May 3, 2021.

2 - - -

3 (THE DIGITAL RECORDING EQUIPMENT WAS TURNED ON.)

4 - - -

5 (THEREUPON, THE FOLLOWING PROCEEDINGS WERE HELD IN
6 THE PRESENCE OF THE COURT, ASSISTANT PROSECUTING ATTORNEY,
7 AND THE DEFENDANTS, PRO SE.)

8 - - -

9 THE COURT: CRB 2100235. Status?

10 DEFENDANT JULIE DEAN: Your Honor, I have a
11 physical or mental impairment that substantially limits one
12 or more of the major life -- my life activities.

13 THE COURT: What is it?

14 DEFENDANT JULIE DEAN: Therefore, I'm
15 requesting reasonable modifications to include a realtime
16 translation into word string proceedings.

17 THE COURT: Into what kind of words?

18 DEFENDANT JULIE DEAN: Realtime translation.
19 I understand you have a device.

20 THE COURT: I don't know what you're talking
21 about.

22 DEFENDANT JULIE DEAN: A realtime
23 translation during the proceedings because I have --

24 THE COURT: From what to what?

25 DEFENDANT JULIE DEAN: From your words to

F 3/8

1 written words.

2 THE COURT: So you have an auditory
3 deficiency?

4 DEFENDANT JULIE DEAN: Yes. That's one.
5 And I have --

6 THE COURT: Okay. And is this -- is this
7 documented?

8 DEFENDANT JULIE DEAN: I have physical or
9 mental impairments that substantially limits one or more of
10 my life activities.

11 THE COURT: Miss Dean, is this documented
12 somewhere?

13 DEFENDANT JULIE DEAN: Does it need to be?

14 THE COURT: Well, how am I supposed to know
15 if you need to have an actual translation of some sort if
16 there's no evidence that you need that?

17 DEFENDANT JULIE DEAN: I am telling you.

18 THE COURT: Uh-huh. And who's told you that
19 you have this impairment?

20 DEFENDANT JULIE DEAN: I have decided.

21 THE COURT: You have decided?

22 DEFENDANT JULIE DEAN: Yes, sir.

23 THE COURT: Okay. Request denied.

24 DEFENDANT JULIE DEAN: I'm also requesting
25 an official transcript of each proceeding in a timely --

F 4/8

1 THE COURT: Are you represented by counsel
2 or not?

3 DEFENDANT JULIE DEAN: I'm sorry?

4 DEFENDANT SAMUEL DEAN: (INAUDIBLE) your
5 Honor, I'm under the impression that --

6 DEFENDANT JULIE DEAN: He's my co-counsel.

7 THE COURT: No. He's not co-counsel.

8 DEFENDANT SAMUEL DEAN: I understand I'm my
9 own counsel. And from what my understanding is, is that
10 Mr. --

11 UNIDENTIFIED: Have you terminated Mr.
12 Schirtzinger or not?

13 DEFENDANT JULIE DEAN: No. I have not
14 terminated him. I speak for me and no one else speaks for
15 me.

16 THE COURT: Well, do you need an attorney?
17 My understanding is you requested legal counsel.

18 DEFENDANT JULIE DEAN: I did and --

19 THE COURT: You don't want legal counsel?

20 DEFENDANT JULIE DEAN: Excuse me?

21 THE COURT: You don't wish to have legal
22 counsel?

23 DEFENDANT JULIE DEAN: I wish to have
24 co-counsel. I will speak for me and no one else speaks for
25 me.

1 THE COURT: Okay.

2 DEFENDANT JULIE DEAN: I'm not a lawyer.

3 THE COURT: What do you want to do with your
4 case? Do you want to set it for trial?

5 DEFENDANT JULIE DEAN: Sir?

6 THE COURT: Do you want to set your case for
7 trial?

8 DEFENDANT JULIE DEAN: Sir, I'm going to go
9 through what I --

10 THE COURT: That's my question. Do you want
11 to set it for trial?

12 DEFENDANT JULIE DEAN: May I see the
13 charging instrument or the charges against me?

14 THE COURT: You've already been given the
15 charging instrument.

16 DEFENDANT JULIE DEAN: No, I have not. I
17 have not seen the official charging instrument.

18 THE COURT: You were given a copy of the
19 complaint.

20 DEFENDANT JULIE DEAN: I do not have that.
21 May I have an official --

22 THE COURT: Sure. You can request that and
23 we'll give you a copy.

24 DEFENDANT JULIE DEAN: I'm requesting that
25 now. I would like the official charging --

F 6/8

1 THE COURT: All right. I'm not doing
2 this -- I'm not doing this with you. This is not some TV
3 episode. We're not doing this.

4 DEFENDANT JULIE DEAN: Sir, excuse me?

5 THE COURT: You heard me. We'll just set
6 the matter for trial, pretrial, trial to the Court date.

7 CLERK: June 14th at 8:30 for the pretrial
8 and June 15th at 9:30 for trial to the Court.

9 THE COURT: Any requests you want to make,
10 you can make those in advance.

11 DEFENDANT JULIE DEAN: Excuse me? I didn't
12 hear.

13 THE COURT: Anything you want to request,
14 you can request that in advance in writing. All right.
15 Next case.

16 - - -

17 (THEREUPON, THE HEARING CONCLUDED AT 10:47 A.M. ON
18 MONDAY, MAY 3, 2021.)

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CERTIFICATE

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I, Tammy G. Kleiber, Court Reporter and Notary Public, do hereby certify that the foregoing, consisting of 7 pages, together with exhibits, if any, is a true and accurate transcript as transcribed by me of the digitally recorded proceedings conducted in that court on the 3rd day of May, 2021, before the Honorable Eric M. Schooley, Judge of said Court.

Subscribed this 6th day of November, 2021.

Tammy G. Kleiber
Court Reporter and
Notary Public in and for
the State of Ohio. My
commission expires
on 6/1/2023.

F 8/8

INVOCATION OF ADA RIGHTS, CLAIM OF DISCRIMINATION AND DENIAL OF ACCESS.

From ADA Rights <adarights@protonmail.com>

To sal@co.madison.oh.us, greenbean950@protonmail.com<Greenbean950@protonmail.com>, eschooley@co.madison.oh.us

Date Wednesday, June 2nd, 2021 at 10:59 AM

Dear ADA Coordinator or designated responsible employeee:

ABSENT INTENT OR AUTHORITY AS LEGAL ADVICE.

TIME IS OF THE ESSENCE. You are currently with a claim of discrimination and denial of access for SAMUEL J. DEAN (CRB2100236 and any other related cases) and JULIE A DEAN (CRB2100235 and any other related cases) on the basis of disability, and I am operating in the capacity as aid and encouragement, which is a protected activity under 42 U.S.C. §12203(b) and 28 C.F.R. §25.134.

It is presumed that you are accustomed to administering ADA under Title I, and this is a claim and activity under Title II of the ADA, which is much different than Title I.

THIS COMMUNICATION IS ISSUED AS AID AND ENCOURAGEMENT FOR QUALIFIED INDIVIDUALS EXERCISING AND ENJOYING RIGHTS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990, THE ADA AMENDMENTS ACT OF 2008 AND FINAL RULE IMPLEMENTATION (COLLECTIVELY "ADA"). THIS IS ALSO ISSUED AS OPPOSITION TO UNLAWFUL ACTS BY ERIC M. SCHOOLEY, BOTH AS JUDICIAL OFFICER, AND INDIVIDUALLY, AND YOU ARE NOTICED OF THE PROTECTION OF 42 U.S.C. §12203(a) & (b), AS IT RELATES TO THIS COMMUNICATION.

For the purposes of obtaining equal access and as aid and encouragement for qualified individuals with disabilities:

Exhibit G 1/5

1. Where, on your website, co.madison.oh.us, is notice given of equal access, as required by 28 C.F.R. §35.106 ?
2. Where, on your municipal court paperwork or other conspicuous place that is notice for litigants who receive such paperwork, is notice given of equal access, as required by 28 C.F.R. §35.106 ?
3. When Judge Schooley is confronted with someone that claims to be deaf, does Judge Schooley ask them who diagnosed them or for proof of disability?
4. Who is the designated responsible employee for Madison County Ohio as required by 28 C.F.R. §35.107(a) ?
5. Is the designated responsible employee for Madison County Ohio also responsible for the Municipal Court equal access for individuals with disabilities?
6. Please provide your self-evaluation, as required by 28 C.F.R. §35.105(a)
7. Please provide documentation that shows that you provided opportunity to interested persons to participate in the self-evaluation, as required by 28 C.F.R. §35.105(b).
8. Please provide all documentation required to be available for public inspection that is required by 28 C.F.R. §35.105(c).
9. Please provide any and all documentation that gives notice that ERIC SCHOOLEY is authorized to dispense medical or mental health diagnoses from the bench.
10. Please provide any and all documentation that gives notice that ERIC SCHOOLEY is authorized to practice law from the bench.
11. Please provide any and all documentation that gives notice that ERIC M. SCHOOLEY can impartially adjudicate a case in which he has entered as a witness.
12. Please provide any and all documentation that gives notice that ERIC M. SCHOOLEY can impartially adjudicate a case in which he has denied equal access to one or more litigants on the basis of disability in writing.
13. Please provide any and all documentation that shows that you have received ANY training on how to effect communication with individuals with disabilities, and/or effect reasonable modifications.

Requests for reasonable modification for both Julie A. Dean and Samuel J. Dean are as follows:

1. Please provide any and all existing court recordings both audio and video, that exist for Sam and/or Julie for the following dates:

Mar 31, 2021

May 3, 2021

May 7, 2021

May 12, 2021

May 13, 2021

May 24, 2021

May 28, 2021

2. Please export the above audio and video recordings in a format that is generally accessible such as WMA, AVI, MP4 or MOV. The proprietary software of "For The Record". For The Record proprietary software is not easily navigable for persons with cognitive and communication disabilities, and it is known that exporting to another file type is a function of the licensee of For The Record software, which eliminates the frustration, and confusion caused by the FTR file type to a disabled individual.
3. Please provide ZOOM or other telephonic access for me, as Certified ADA Advocate, to be present, and available to both Sam and Julie Dean, as aid and encouragement for them in the exercise and enjoyment of their rights under the ADA, in any and all future proceedings, as this status is protected by 42 U.S.C. §12203(b);
4. Please provide Computer Aided Real Time (CART) transcription during any and all hearings or other proceedings for Sam and Julie Dean.
5. Please replace Judge ERIC M. SCHOOLEY with a competent, trauma-informed, patient, courteous, and impartial judge for any and all proceedings concerning Sam and Julie Dean.
6. Please provide the name and email address of the designated responsible employee for ADA related matters, as required by 28 C.F.R. §35.107(a) if it is not you.
7. Please provide the protocol for grievances to be registered and investigated concerning ADA related matters.
8. Please provide the above requested documentation so that equal access can be more easily obtained.

Also, **per the legal advice of Rickelle A. Davis, Esq (#0099126)**, who advises on a Motion to quash subpoenas, **"these records are procurable through a public records request to the ADA compliance officer in Madison County, HR Director Sabah Al."** So, the records requested on the subpoena that Ms. Davis is referring to are hereby requested as additional reasonable modification, so that equal access for disability can be ascertained more easily, specifically those records are:

1. records pertaining to providing the defendants (Sam and Julie Dean) reasonable modifications for their disability under the Americans with Disabilities Act (ADA); including,

G 3/5

- a) the name, email contact, and physical address of the responsible designated employee that processes requests for reasonable modification and/or complaints according to the Americans with Disabilities Act (ADA); and,
 - b) Eric Schooley's citation of authority to make determinations as to whether or not anyone has a disability; and,
 - c) any and all authoritative evidence that Eric Schooley is without a duty to comply with the Americans with Disabilities Act; and,
 - d) citation, rule of court or memoranda of any authority that empowers Eric Schooley to diagnose whether or not a disability exists with a litigant; and,
 - e) the transcript of each hearing in the above captioned matter (Already asked for in video/audio records above, but transcript would be also used as an auxiliary aid); and,
2. The Court's written policies pertaining to responding to disability accommodations and complaints; and,
 3. records of any and all communications between court personnel and other parties that pertain to responding to the defendant's requests for reasonable modifications; and,
 4. Any and all records, certifications, or other documentation that proves that Eric Schooley has been trained in how to administratively comply with the ADA.

There may be more requests for reasonable modification, and this is not a waiver of rights.

Please answer and provide the requested reasonable modifications, as per Title II of the Americans with Disabilities Act (1990), the ADA Amendments Act of 2008, and Final Rule Implementation.

You are without immunity, per 42 U.S.C. 12202.

Regards,

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

<https://www.youtube.com/c/ADAVETADVOCACY>

G 4/5

CERTIFIED

1.39 KB 1 embedded image

ADA

ADA ADVOCATE BADGE.png 51.39 KB

ADVOCATE

G 5/5

DISABILITY DISCRIMINATION is being documented, and this is another chance to remedy it. ADA Request for equal access.

From: adarights@protonmail.com <adarights@protonmail.com>
To: tammy.terpening@madison.oh.gov <tammy.terpening@madison.oh.gov>
BCC: eric.schooley@madison.oh.gov <eric.schooley@madison.oh.gov>
robyn.scott@madison.oh.gov <robyn.scott@madison.oh.gov>
judy.rowe@madison.oh.gov <judy.rowe@madison.oh.gov>
sal <sal@co.madison.oh.us>

Date: Thursday, June 10th, 2021 at 8:40 PM

ADA Rights Trust

To Tammy Terpening as Clerk of the Madison County Municipal Court.

55 North Oak St

London, OH 43140

Invocation of the rights held by SAMUEL J. DEAN (CRB2100236) and JULIE A. DEAN (CRB2100236) (Jointly, "The Deans") under the protection of 42 U.S.C. §12203(b).

You are hereby with notice that I am acting in capacity as aid and encouragement of The Deans in the exercise and enjoyment of rights they hold under the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, and Final Rule Implementation ("ADA").

Both myself and The Deans have tried repeatedly to find where this Court meets the requirements of 28 C.F.R. part 35. Specifically, who is the designated responsible employee for Madison County and/or the Court as required by 28 C.F.R. §35.107(a)? What is their email address?

I've written Sabah Al, and received no response. Currently, The Deans are being denied equal access, being discriminated against, being intimidated, and interfered with by this Court, in the exercise of their rights under the ADA.

This is being laid at your feet, and you are with notice that 42 U.S.C. §12202, 28 C.F.R. §35.178, and Tennessee v. Lane 541 US

Exhibit H 1/6

509, you are without immunity concerning this matter.

Demand is made for disability access that allows written submission to the designated responsible employee of requests for reasonable modification.

This is how Robyn handles ADA requests. Telling me to call legal aid or a lawyer outside of your office? Your discrimination is well documented.

You are prohibited from intimidation, coercion, threats, or interference, with The Deans, in the exercise and enjoyment of their rights under the ADA, and my aid and encouragement of the same. Yet, here we are with interference and intimidation by your office and Eric Schooley, masquerading as an "honorable judge."


I truly don't expect you to do the right thing, but I am indeed documenting that, so that this can be dealt with in Federal Court.

IF you are so inclined, I am attaching the requests for reasonable modification and information for equal access sent to Sabah Al, and you are welcome to address this fully. Someone is duty bound to, and you are the Clerk, so you will be the named defendant if this is not dealt with as per Title II ADA guidelines.

You are with notice. Write me back, at adarights@protonmail.com and give me the requested information by date and time certain June 17, 2021, at five o'clock P.M. Eastern Daylight Time, or your tacit agreement with this communication is acknowledged and appreciated.

<https://rumble.com/vidc11-madison-county-oh-municipal-court-robyn-has-no-clue-about-ada-rights.html>

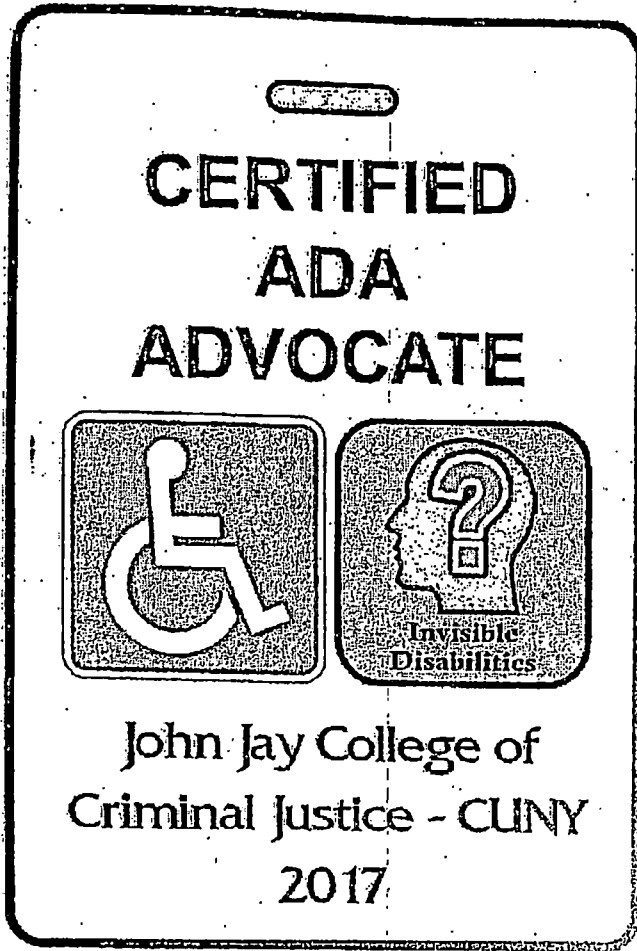
Regards,



P.D., JAY V. SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

<https://www.youtube.com/c/ADAVETADVOCACY>



and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

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Sent with ProtonMail Secure Email.

291.22 KB 2 files attached

(573) All mail _ adarights@protonmail.com ... (239.85 KB)

ADA ADVOCATE BADGE.png (51.37 KB)

H 3/6

INVOCATION OF ADA RIGHTS, CLAIM OF DISCRIMINATION AND DENIAL OF ACCESS.

From: ADA Rights <adarights@protonmail.com>
To: sal@co.madison.oh.us <sal@co.madison.oh.us>
Greenbean950@protonmail.com <Greenbean950@protonmail.com>
eschooley <eschooley@co.madison.oh.us>
Date: Wednesday, June 2nd, 2021 at 10:59 AM

Dear ADA Coordinator or designated responsible employee:

ABSENT INTENT OR AUTHORITY AS LEGAL ADVICE.

TIME IS OF THE ESSENCE. You are currently with a claim of discrimination and denial of access for SAMUEL J. DEAN (CRB2100236 and any other related cases) and JULIE A DEAN (CRB2100235 and any other related cases) on the basis of disability, and I am operating in the capacity as aid and encouragement, which is a protected activity under 42 U.S.C. §12203(b) and 28 C.F.R. §25.134.

It is presumed that you are accustomed to administering ADA under Title I, and this is a claim and activity under Title II of the ADA, which is much different than Title I.

THIS COMMUNICATION IS ISSUED AS AID AND ENCOURAGEMENT FOR QUALIFIED INDIVIDUALS EXERCISING AND ENJOYING RIGHTS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990, THE ADA AMENDMENTS ACT OF 2008 AND FINAL RULE IMPLEMENTATION (COLLECTIVELY "ADA"). THIS IS ALSO ISSUED AS OPPOSITION TO UNLAWFUL ACTS BY ERIC M. SCHOOLEY, BOTH AS JUDICIAL OFFICER, AND INDIVIDUALLY, AND YOU ARE NOTICED OF THE PROTECTION OF 42 U.S.C. §12203(a) & (b), AS IT RELATES TO THIS COMMUNICATION.

For the purposes of obtaining equal access and as aid and encouragement for qualified individuals with disabilities:

1. Where, on your website, co.madison.oh.us, is notice given of equal access, as required by 28 C.F.R. §35.106 ?
2. Where, on your municipal court paperwork or other conspicuous place that is notice for litigants who receive such paperwork, is notice given of equal access, as required by 28 C.F.R. §35.106 ?
3. When Judge Schooley is confronted with someone that claims to be deaf, does Judge Schooley ask them who diagnosed them or for proof of disability?
4. Who is the designated responsible employee for Madison County Ohio as required by 28 C.F.R. §35.107(a) ?
5. Is the designated responsible employee for Madison County Ohio also responsible for the Municipal Court equal access for individuals with disabilities?
6. Please provide your self-evaluation, as required by 28 C.F.R. §35.105(a)
7. Please provide documentation that shows that you provided opportunity to interested persons to participate in the self-evaluation, as required by 28 C.F.R. §35.105(b).
8. Please provide all documentation required to be available for public inspection that is required by 28 C.F.R. §35.105(c).
9. Please provide any and all documentation that gives notice that ERIC SCHOOLEY is authorized to dispense medical or mental health diagnoses from the bench.
10. Please provide any and all documentation that gives notice that ERIC SCHOOLEY is authorized to practice law from the bench.
11. Please provide any and all documentation that gives notice that ERIC M. SCHOOLEY can impartially adjudicate a case in which he has entered as a witness.
12. Please provide any and all documentation that gives notice that ERIC M. SCHOOLEY can impartially adjudicate a case in which he has denied equal access to one or more litigants on the basis of disability in writing.
13. Please provide any and all documentation that shows that you have received ANY training on how to effect communication with individuals with disabilities, and/or effect reasonable modifications.

Requests for reasonable modification for both Julie A. Dean and Samuel J. Dean are as follows:

H 4/6

1. Please provide any and all existing court recordings both audio and video, that exist for Sam and/or Julie for the following dates:

Mar 31, 2021
May 3, 2021
May 7, 2021
May 12, 2021
May 13, 2021
May 24, 2021
May 28, 2021

2. Please export the above audio and video recordings in a format that is generally accessible such as WMA, AVI, MP4 or MOV. The proprietary software of "For The Record". For The Record proprietary software is not easily navigable for persons with cognitive and communication disabilities, and it is known that exporting to another file type is a function of the licensee of For The Record software, which eliminates the frustration, and confusion caused by the FTR file type to a disabled individual.

3. Please provide ZOOM or other telephonic access for me, as Certified ADA Advocate, to be present, and available to both Sam and Julie Dean, as aid and encouragement for them in the exercise and enjoyment of their rights under the ADA, in any and all future proceedings, as this status is protected by 42 U.S.C. §12203(b);

4. Please provide Computer Aided Real Time (CART) transcription during any and all hearings or other proceedings for Sam and Julie Dean.

5. Please replace Judge ERIC M. SCHOOLEY with a competent, trauma-informed, patient, courteous, and impartial judge for any and all proceedings concerning Sam and Julie Dean.

6. Please provide the name and email address of the designated responsible employee for ADA related matters, as required by 28 C.F.R. §35.107(a) if it is not you.

7. Please provide the protocol for grievances to be registered and investigated concerning ADA related matters.

8. Please provide the above requested documentation so that equal access can be more easily obtained.

Also, per the legal advice of Rickelle A. Davis, Esq (#0099126), who advises on a Motion to quash subpoenas, "these records are procurable through a public records request to the ADA compliance officer in Madison County, HR Director Sahah AL." So, the records requested on the subpoena that Ms. Davis is referring to are hereby requested as additional reasonable modification, so that equal access for disability can be ascertained more easily, specifically those records are:

1. records pertaining to providing the defendants (Sam and Julie Dean) reasonable modifications for their disability under the Americans with Disabilities Act (ADA); including,

a) the name, email contact, and physical address of the responsible designated employee that processes requests for reasonable modification and/or complaints according to the Americans with Disabilities Act (ADA); and,

b) Eric Schooley's citation of authority to make determinations as to whether or not anyone has a disability; and,

c) any and all authoritative evidence that Eric Schooley is without a duty to comply with the Americans with Disabilities Act; and,

d) citation, rule of court or memoranda of any authority that empowers Eric Schooley to diagnose whether or not a disability exists with a litigant; and,

e) the transcript of each hearing in the above captioned matter (Already asked for in video/audio records above, but transcript would be also used as an auxiliary aid); and,

2. The Court's written policies pertaining to responding to disability accommodations and complaints; and,

3. records of any and all communications between court personnel and other parties that pertain to responding to the defendant's requests for reasonable modifications; and,

4. Any and all records, certifications, or other documentation that proves that Eric Schooley has been trained in how to administratively comply with the ADA.

There may be more requests for reasonable modification, and this is not a waiver of rights.

Please answer and provide the requested reasonable modifications, as per Title II of the Americans with Disabilities Act (1990), the ADA Amendments Act of 2008, and Final Rule Implementation.

You are without immunity, per 42 U.S.C. 12202.

Regards,

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

<https://www.youtube.com/c/ADAVETADVOCACY>

H 5/6




and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

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Sent with ProtonMail Secure Email.

51.39 KB  1 embedded image

 ADA ADVOCATE BADGE.png (51.39 KB)

H 6/6

Rickelle Davis

From: Susan Thompson
Sent: Friday, July 9, 2021 8:35 AM
To: Rickelle Davis
Subject: FW: ADA Issues
Attachments: ADA Request DEANS.pdf

Email #1

Susan R. Thompson



**Superintendent
Madison County Board of DD
500 Elm Street
London, Ohio 43140
740.852.7050 ext 1820
740.852.7051 (fax)
Susan.Thompson@madison.oh.gov
www.TheMCBDD.com
[HTTPS://madisoncodd.blogspot.com/](https://madisoncodd.blogspot.com/)
[Twitter.com/TheMCBDD](https://twitter.com/TheMCBDD)**

Helping one person might not change the whole world....but it could change the world for one person!

"You have a choice each and every single day. I choose to feel blessed. I choose to feel grateful. I choose to be excited. I choose to be thankful. I choose to be happy." – Amber Housley

"Leaders think and talk about the solutions. Followers think and talk about only the problems." – Brian Tracy

"Never bring the problem solving stage into the decision making stage. Otherwise, you surrender yourself to the problem rather than the solution!" –Robert H. Schuller

As people gain control, their lives will improve and costs will go down! – James W. Conroy, PH.D.

From: ADA Rights [mailto:adarights@protonmail.com]
Sent: Thursday, July 8, 2021 9:30 PM
To: Susan Thompson <susan.thompson@madison.oh.gov>
Subject: Re: ADA Issues

1

Exhibit I 1/8

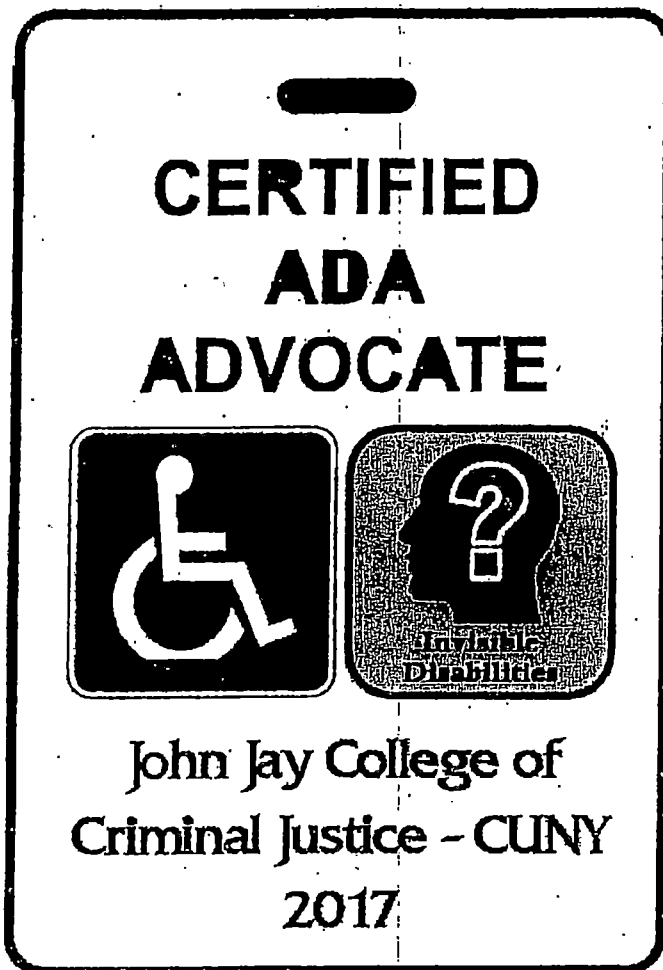
ABSENT INTENT OR AUTHORITY AS LEGAL ADVICE.

Without waiver of any claims existing against Madison County Municipal Court, Tammy Terpening, Eric Schooley, the Prosecuting attorney or the office of such, or any other party, for interfering, intimidating, coercing, or threatening in violation of 42 U.S.C. 12203(b) and 28 C.F.R. §35.134(b),

Attached is the fedex that was received by Tammy Terpening and it is still in play.

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>



and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

I 2/8

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Sent with ProtonMail Secure Email.

----- Original Message -----

On Thursday, July 8th, 2021 at 3:31 PM, Susan Thompson <susan.thompson@madison.oh.gov> wrote:

Good afternoon sir! I got your message. Thank you for reaching out to me.

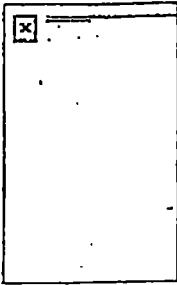
I do not have any information on this case that was previously submitted. Is there any way that you could send it to me?

Thank you. I am hopeful that we can get some resolution to this issue.

Have a great weekend!

Susan R. Thompson

I 3/8



Loading

Superintendent

Madison County Board of DD

500 Elm Street

London, Ohio 43140

740.852.7050 ext 1820

740.852.7051 (fax)

Susan.Thompson@madison.oh.gov

www.TheMCBDD.com

[HTTPS://madisoncodd.blogspot.com/](https://madisoncodd.blogspot.com/)

[Twitter.com/TheMCBDD](https://twitter.com/TheMCBDD)

Helping one person might not change the whole world....but it could change the world for one person!

"You have a choice each and every single day. I choose to feel blessed. I choose to feel grateful. I choose to be excited. I choose to be thankful. I choose to be happy." – Amber Housley

"Leaders think and talk about the solutions. Followers think and talk about only the problems." – Brian Tracy

"Never bring the problem solving stage into the decision making stage. Otherwise, you surrender yourself to the problem rather than the solution." –Robert H. Schuller

I 4/8

As people gain control, their lives will improve and costs will go down! — James W. Conroy, PH.D.

I 5/8

6/10/2021

(573) All mail | adarights@protonmail.com | ProtonMail

INVOCATION OF ADA RIGHTS, CLAIM OF DISCRIMINATION AND DENIAL OF ACCESS.

From: adarights@protonmail.com

To: sal <sal@protonmail.com>
Greenbean950@protonmail.com <Greenbean950@protonmail.com>
eschooley <eschooley@protonmail.com>

Date: Wednesday, June 2nd, 2021 at 9:59 AM

Dear ADA Coordinator or designated responsible employee:

ABSENT INTENT OR AUTHORITY AS LEGAL ADVICE.

TIME IS OF THE ESSENCE. You are currently with a claim of discrimination and denial of access for SAMUEL J. DEAN (CRB2100236 and any other related cases) and JULIE A DEAN (CRB2100235 and any other related cases) on the basis of disability, and I am operating in the capacity as aid and encouragement, which is a protected activity under 42 U.S.C. §12203(b) and 28 C.F.R. §25.134.

It is presumed that you are accustomed to administering ADA under Title I, and this is a claim and activity under Title II of the ADA, which is much different than Title I.

THIS COMMUNICATION IS ISSUED AS AID AND ENCOURAGEMENT FOR QUALIFIED INDIVIDUALS EXERCISING AND ENJOYING RIGHTS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990, THE ADA AMENDMENTS ACT OF 2008 AND FINAL RULE IMPLEMENTATION (COLLECTIVELY "ADA"). THIS IS ALSO ISSUED AS OPPOSITION TO UNLAWFUL ACTS BY ERIC M. SCHOOLEY, BOTH AS JUDICIAL OFFICER, AND INDIVIDUALLY, AND YOU ARE NOTICED OF THE PROTECTION OF 42 U.S.C. §12203(a) & (b), AS IT RELATES TO THIS COMMUNICATION.

For the purposes of obtaining equal access and as aid and encouragement for qualified individuals with disabilities:

1. Where, on your website, co.madison.oh.us, is notice given of equal access, as required by 28 C.F.R. §35.106 ?
2. Where, on your municipal court paperwork or other conspicuous place that is notice for litigants who receive such paperwork, is notice given of equal access, as required by 28 C.F.R. §35.106 ?
3. When Judge Schooley is confronted with someone that claims to be deaf, does Judge Schooley ask them who diagnosed them or for proof of disability?
4. Who is the designated responsible employee for Madison County Ohio as required by 28 C.F.R. §35.107(a) ?
5. Is the designated responsible employee for Madison County Ohio also responsible for the Municipal Court equal access for individuals with disabilities?
6. Please provide your self-evaluation, as required by 28 C.F.R. §35.105(a).
7. Please provide documentation that shows that you provided opportunity to interested persons to participate in the self-evaluation, as required by 28 C.F.R. §35.105(b).
8. Please provide all documentation required to be available for public inspection that is required by 28 C.F.R. §35.105(c).
9. Please provide any and all documentation that gives notice that ERIC SCHOOLEY is authorized to dispense medical or mental health diagnoses from the bench.
10. Please provide any and all documentation that gives notice that ERIC SCHOOLEY is authorized to practice law from the bench.
11. Please provide any and all documentation that gives notice that ERIC M. SCHOOLEY can impartially adjudicate a case in which he has entered as a witness.
12. Please provide any and all documentation that gives notice that ERIC M. SCHOOLEY can impartially adjudicate a case in which he has denied equal access to one or more litigants on the basis of disability in writing.
13. Please provide any and all documentation that shows that you have received ANY training on how to effect communication with individuals with disabilities, and/or effect reasonable modifications.

Requests for reasonable modification for both Julie A. Dean and Samuel J. Dean are as follows:

1/3

I 6/8

6/10/2021

(573) All mail | edelights@protonmail.com | ProtonMail

1. Please provide any and all existing court recordings both audio and video, that exist for Sam and/or Julie for the following dates:

Mar 31, 2021
May 3, 2021
May 7, 2021
May 12, 2021
May 13, 2021
May 24, 2021
May 28, 2021

2. Please export the above audio and video recordings in a format that is generally accessible such as WMA, AVI, MP4 or MOV. The proprietary software of "For The Record". For The Record proprietary software is not easily navigable for persons with cognitive and communication disabilities, and it is known that exporting to another file type is a function of the licensee of For The Record software, which eliminates the frustration, and confusion caused by the FTR file type to a disabled individual.
3. Please provide ZOOM or other telephonic access for me, as Certified ADA Advocate, to be present, and available to both Sam and Julie Dean, as aid and encouragement for them in the exercise and enjoyment of their rights under the ADA, in any and all future proceedings, as this status is protected by 42 U.S.C. §12203(b);
4. Please provide Computer Aided Real Time (CART) transcription during any and all hearings or other proceedings for Sam and Julie Dean.
5. Please replace Judge ERIC M. SCHOOLEY with a competent, trauma-informed, patient, courteous, and impartial judge for any and all proceedings concerning Sam and Julie Dean.
6. Please provide the name and email address of the designated responsible employee for ADA related matters, as required by 28 C.F.R. §36.107(a) if it is not you.
7. Please provide the protocol for grievances to be registered and investigated concerning ADA related matters.
8. Please provide the above requested documentation so that equal access can be more easily obtained.

Also, per the legal advice of Rickelle A. Davie, Esq (#0099126), who advises on a Motion to quash subpoenas, "these records are procurable through a public records request to the ADA compliance officer in Madison County, HR Director Sabah Al." So, the records requested on the subpoena that Ms. Davie is referring to are hereby requested as additional reasonable modification, so that equal access for disability can be ascertained more easily, specifically those records are:

1. records pertaining to providing the defendants (Sam and Julie Dean) reasonable modifications for their disability under the Americans with Disabilities Act (ADA); including,
 - a) the name, email contact, and physical address of the responsible designated employee that processes requests for reasonable modification and/or complaints according to the Americans with Disabilities Act (ADA); and,
 - b) Eric Schooley's citation of authority to make determinations as to whether or not anyone has a disability; and,
 - c) any and all authoritative evidence that Eric Schooley is without a duty to comply with the Americans with Disabilities Act; and,
 - d) citation, rule of court or memoranda of any authority that empowers Eric Schooley to diagnose whether or not a disability exists with a litigant; and,
 - e) the transcript of each hearing in the above captioned matter (Already asked for in video/audio records above, but transcript would be also used as an auxiliary aid); and,
2. The Court's written policies pertaining to responding to disability accommodations and complaints; and,
3. records of any and all communications between court personnel and other parties that pertain to responding to the defendant's requests for reasonable modifications; and,
4. Any and all records, certifications, or other documentation that proves that Eric Schooley has been trained in how to administratively comply with the ADA.

There may be more requests for reasonable modification, and this is not a waiver of rights.

Please answer and provide the requested reasonable modifications, as per Title II of the Americans with Disabilities Act (1990), the ADA Amendments Act of 2008, and Final Rule Implementation.

You are without immunity, per 42 U.S.C. 12202.

I 7/8

6/10/2021

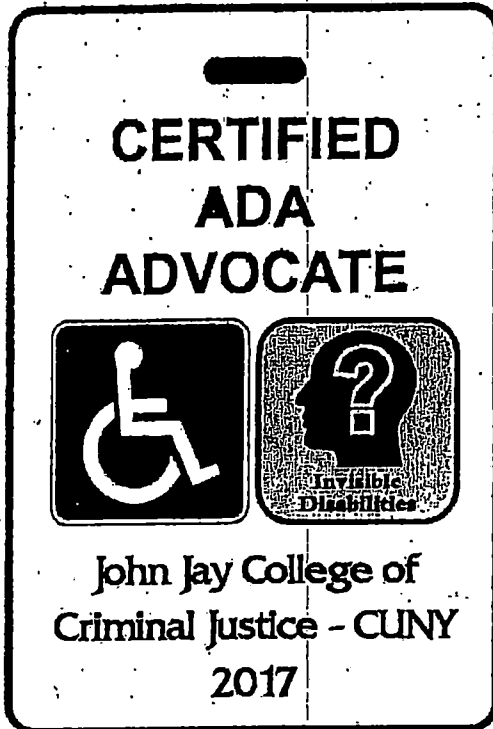
(573) All mail | adarights@protonmail.com | ProtonMail

Regards,

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

<https://www.youtube.com/c/ADAVETADVOCACY>



and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

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Sent with ProtonMail Secure Email.

51.39 KB 1

ADA ADVOCATE BADGE.png (51.39 KB)

3/3

I 8/8

RE: ADA issues

From ADA Rights <adarights@protonmail.com>

To susan.thompson@madison.oh.gov, greenbean950@protonmail.com <Greenbean950@protonmail.com>, dean.homestead9 <dean.homestead9@protonmail.com>, carol.Ansel@madison.oh.gov, brenda.Fitch@madison.oh.gov, eric.schooley@madison.oh.gov, Tammy Terpening <tammy.terpening@madison.oh.gov>

CC Karen <Karen.Loy@sc.ohio.gov>, Kanai, Matthew <Matthew.Kanai@sc.ohio.gov>, Joseph.Caliguiri@sc.ohio.gov

Date Monday, July 12th, 2021 at 10:34 PM

This communication is issued as aid and encouragement for qualified individuals exercising and enjoying rights under the Americans with Disabilities Act. It is also issued as opposition and protest of illegal acts and practices on the part of the Madison County Municipal Court, in London Ohio in the person of ERIC SCHOOLEY, and the person of SUSAN THOMPSON, in artifice and ploy as the designated "responsible" employee (28 C.F.R. §35.107(a)) and as such this communication is DOUBLE protected as to my capacity, by 42 U.S.C. §12203(a) & (b) and also 28 C.F.R. §35.134(a) & (b).

You should check out Tennessee v. Lane, 541 US 509. I think you'd get a kick out of it...

YOU ARE WITH NOTICE.

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

Exhibit J 1/14

**CERTIFIED
ADA
ADVOCATE**



**John Jay College of
Criminal Justice - CUNY
2017**

and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

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J 2/14

Sent with ProtonMail Secure Email.

----- Original Message -----

On Monday, July 12th, 2021 at 1:06 PM, ADA Rights <adarights@protonmail.com> wrote:

You revealed this to the PROSECUTING ATTORNEY? Also, I asked you to specifically state who you forwarded this to, and you failed to give me a name.

But to reveal this (or even share this) with the adversary in this case is Prejudicial, discriminatory, and threatening to the interests of my clients, and anyone with training on how the ADA works would know this. Expect this to have repercussions. And your statement that "they stated that they already had the request" shows that you discussed this with them prior to sharing it with them.

You have prejudiced my clients! **YOU ARE WITH NOTICE.**

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

J 3/14

**CERTIFIED
ADA
ADVOCATE**



**John Jay College of
Criminal Justice - CUNY
2017**

and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

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J 4/14

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Monday, July 12th, 2021 at 12:59 PM, Susan Thompson <susan.thompson@madison.oh.gov> wrote:

Sir-

I have not abandoned anything. I was just recently asked to step in to try to help and my vacation has been planned for months. I apologize if it appears differently.

I submitted the information to Prosecuting Attorney's Office (they stated that they already had the request) so that they could assist in making sure your clients get what they asked for or what they are entitled to. The office also has all of the ADA information that they need so that they can assist in hopefully resolving the issues/concerns that you have.

I would encourage you to remain positive!

Again, I apologize that I am not available for the court date.

Susan R. Thompson



Loading

Superintendent

J 5/14

Madison County Board of DD

500 Elm Street

London, Ohio 43140

740.852.7050 ext 1820

740.852.7051 (fax)

Susan.Thompson@madison.oh.gov

www.TheMCBDD.com

[HTTPS://madisoncodd.blogspot.com/](https://madisoncodd.blogspot.com/)

[Twitter.com/TheMCBDD](https://twitter.com/TheMCBDD)

Helping one person might not change the whole world....but it could change the world for one person!

"You have a choice each and every single day. I choose to feel blessed. I choose to feel grateful. I choose to be excited. I choose to be thankful. I choose to be happy." -- Amber Housley

"Leaders think and talk about the solutions. Followers think and talk about only the problems."~ Brian Tracy

"Never bring the problem solving stage into the decision making stage. Otherwise, you surrender yourself to the problem rather than the solution." ~Robert H. Schuller

As people gain control, their lives will improve and costs will go down! – James W. Conroy, PH.D.

From: ADA Rights [mailto:adairights@protonmail.com]

Sent: Monday, July 12, 2021 1:44 PM

To: Susan Thompson <susan.thompson@madison.oh.gov>; Greenbean950 <Greenbean950@protonmail.com>; dean.homestead9 <dean.homestead9@protonmail.com>

Subject: RE: ADA issues

J 6/14

The court (in the persons of Tammy Terpening and Eric Schooley) has denied them equal access. This is most troublesome for you to step in as ADA Coordinator, and then pass the information off to someone else.

When you say that you forwarded the information "to the court", who, specifically do you mean? "The Court" is an ambiguous term, and I would like the meaning as you use it in who you are referring to specifically.

Why have you abandoned taking care of addressing this when you stepped in as ADA Coordinator?

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

J 7/14

**CERTIFIED
ADA
ADVOCATE**



**John Jay College of
Criminal Justice - CUNY
2017**

and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

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Absent individual capacity, absent intent or effect of agreement, absent joinder, right of interpretation

J 8/14

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Sent with ProtonMail Secure Email.

----- Original Message -----

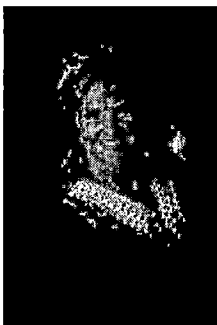
On Monday, July 12th, 2021 at 12:39 PM, Susan Thompson <susan.thompson@madison.oh.gov> wrote:

Good morning! I am on vacation this week but I did forward your information to the court. I am positive that your clients will not be denied anything they are due.

I am hopeful that this situation will be resolved soon.

Have a great week!

Susan R. Thompson



Loading

Loading

Superintendent

Madison County Board of DD

J 9/14

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London, Ohio 43140

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As people gain control, their lives will improve and costs will go down! – James W. Conroy, PH.D.

From: ADA Rights [<mailto:adarights@protonmail.com>]

Sent: Monday, July 12, 2021 1:24 PM

To: Susan Thompson <susan.thompson@madison.oh.gov>; Greenbean950 <Greenbean950@protonmail.com>; dean.homestead9 <dean.homestead9@protonmail.com>

Subject: Re: ADA issues

J¹⁰/14

Hello again. I was just concerned with the scheduled hearing tomorrow, that this was going to remain unaddressed, and the Deans are again going to be denied equal access to court under the ADA tomorrow.

I hope this is not the case, but I haven't heard back from you concerning the requested modifications.

Regards,

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

J 11/14

**CERTIFIED
ADA
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J 12/14

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Sent with ProtonMail Secure Email.

----- Original Message -----

On Thursday, July 8th, 2021 at 8:30 PM, ADA Rights <adarights@protonmail.com> wrote:

ABSENT INTENT OR AUTHORITY AS LEGAL ADVICE.

Without waiver of any claims existing against Madison County Municipal Court, Tammy Terpening, Eric Schooley, the Prosecuting attorney or the office of such, or any other party, for interfering, intimidating, coercing, or threatening in violation of 42 U.S.C. 12203(b) and 28 C.F.R. §35.134(b),

Attached is the fedex that was received by Tammy Terpening and it is still in play.

P.D., JAY V SHORE, As Certified ADA Advocate (2017), and as a qualified individual with a disability

<https://t.me/ADARights>

J 13/14

**CERTIFIED
ADA
ADVOCATE**



**John Jay College of
Criminal Justice - CUNY
2017**

157.61 KB 4 embedded images and as Victim/Survivor Rights Advocate through SVAA training with NCVLI Portland, OR (2018)

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ADA ADVOCATE BADGE.png 51.37 KB

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J 14/14

IN THE MUNICIPAL COURT OF MADISON COUNTY OHIO

State of Ohio

FILED

Case No: CRB2100235

JUL 27 2021

v.

Madison Co. Municipal Court
London, Ohio

Judge Schooley

Julie A. Dean

Entry

The Defendant has moved this Court for an accommodation claimed to fall under the umbrella of the American's With Disabilities Act. The first mention of any issue was at the May 3, 2021 pre-trial. Defendant indicated she was "self-diagnosed" with an unspecified disability refusing to provide any further information. Defendant has reiterated the motion continuously throughout the proceedings. However, the Defendant has also refused to respond to any inquiry of the Court as to the nature of the disability, how it impacts her, the precise accommodation sought, why it is needed or in fact provide any meaningful shred of information upon which the Court could provide assistance. The Court has bent over backwards in its attempts to ascertain the nature of the claimed disability. Obviously, the Court derives no benefit from denying a legitimate need for services and in fact routinely, even daily, provides a range of services to individuals appearing before it.

Ultimately, the Court set the matter for a specific motion hearing on July 13, 2021 to provide Defendant one last chance prior to trial to provide the Court with any useful information. The Court was once again met with Defendant reading a prepared statement alleging that her ADA rights were being violated and that the case needed dismissed as a result. Additionally, Defendant has asserted that the Court has violated the law by not having an on staff ADA coordinator. Defendant was informed that the Court does not employ such a person as it is not required to under the Act. This Court employs well less than half the number of individuals required under 28 CFR 35.107. The Court directed Defendant to contact the County for potential help from its coordinator. From the filings of the Defendant, it appears they had someone make contact with Susan Thompson though it does not appear any headway was gained from the interaction for similar reasons faced by the Court.

During the pendency of this motion the Court has reviewed the publication put out by the Federal Government entitled "The Americans with Disabilities Act: Title II Technical Assistance Manual: Covering State and Local Government Programs and Services." A review of the document reaffirmed that the Court was handling the matter

EXHIBIT K-1/4

as required. Nothing establishes to the Court that the Act is even applicable to this Defendant.

The Court has had the opportunity to observe the Defendant in Court and review the massive filings prepared by and tendered by the Defendant, under her signature, during the pendency of this case. For purposes of this matter, Defendant would need to establish a disability that substantially inhibits the ability to see, hear, speak or otherwise communicate. To the contrary, Defendant has established a substantial body of work overwhelmingly showing a level of communication and comprehension that this Court rarely observes from defendants.

While the Court has given Defendant repeated opportunities to support the Motion nothing of substance was provided. The Court has no information as to how the ADA would apply to this Defendant let alone what actual accommodation is sought. Without getting over this initial hump, the Court does not even get to the point where consideration of additional factors takes place which it would need to weigh prior to allowing any accommodation. The Court left the motion open until the last possible minute to maximize the opportunity of the Defendant to prosecute the motion. That time has come to an end.

The Motion for Accommodation is denied.

IT IS SO ORDERED



Judge Eric M. Schooley

R 2/4

IN THE MUNICIPAL COURT OF MADISON COUNTY OHIO

State of Ohio

FILED

Case No: CRB2100236

JUL 27 2021

Madison Co. Municipal Court
London, Ohio

v.

Judge Schooley

Samuel J. Dean

Entry

The Defendant has moved this Court for an accommodation claimed to fall under the umbrella of the American's With Disabilities Act. The first mention of any issue was at the May 3, 2021 pre-trial. Defendant has reiterated the motion continuously throughout the proceedings. However, the Defendant has also refused to respond to any inquiry of the Court as to the nature of the disability, how it impacts him, the precise accommodation sought, why it is needed or in fact provide any meaningful shred of information upon which the Court could provide assistance. The Court has bent over backwards in its attempts to ascertain the nature of the claimed disability. Obviously, the Court derives no benefit from denying a legitimate need for services and in fact routinely, even daily, provides a range of services to individuals appearing before it.

Ultimately, the Court set the matter for a specific motion hearing on July 13, 2021 to provide Defendant one last chance prior to trial to provide the Court with any useful information. The Court was once again met with Defendant reading a prepared statement alleging that his ADA rights were being violated and that the case needed dismissed as a result. Additionally, Defendant has asserted that the Court has violated the law by not having an on staff ADA coordinator. Defendant was informed that the Court does not employ such a person as it is not required to under the Act. This Court employs well less than half the number of individuals required under 28 CFR 35.107. The Court directed Defendant to contact the County for potential help from its coordinator. From the filings of the Defendant, it appears they had someone make contact with Susan Thompson though it does not appear any headway was gained from the interaction for similar reasons faced by the Court.

During the pendency of this motion the Court has reviewed the publication put out by the Federal Government entitled "The Americans with Disabilities Act: Title II Technical Assistance Manual: Covering State and Local Government Programs and Services." A review of the document reaffirmed that the Court was handling the matter as required. Nothing establishes to the Court that the Act is even applicable to this Defendant.

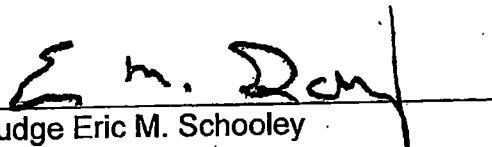
K 3/4

The Court has had the opportunity to observe the Defendant in Court and review the massive filings prepared by and tendered by the Defendant, under his signature, during the pendency of this case. For purposes of this matter, Defendant would need to establish a disability that substantially inhibits the ability to see, hear, speak or otherwise communicate. To the contrary, Defendant has established a substantial body of work overwhelmingly showing a level of communication and comprehension that this Court rarely observes from defendants.

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The Motion for Accommodation is denied.

IT IS SO ORDERED



Judge Eric M. Schooley

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IN THE MADISON COUNTY MUNICIPAL COURT, LONDON, OHIO

State of Ohio,)
Plaintiff,)
-vs-) Case No. CRB 2100236 A & B
Samuel Dean,) Appeal No. CA 2021-08-013
Defendant.)
and	
State of Ohio,)
Plaintiff,)
-vs-) Case No. CRB 2100235 A & B
Julie Dean,) Appeal No. CA 2021-08-013
Defendant.)

TRANSCRIPT OF PROCEEDINGS

- JURY TRIAL -

Before the Honorable Eric M. Schooley, Judge of
the Madison County Municipal Court, on Thursday, July 29,
2021, from 8:39 A.M. to 4:50 P.M.

Exhibit L 4/5

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APPEARANCES:

Ms. Rickelle A. Davis, Assistant Prosecuting Attorney, Madison County Prosecutor's Office, 59 North Main Street, London, Ohio, 43140, on behalf of the Plaintiff, the State of Ohio.

Mr. Samuel Dean, Defendant, pro se; and Ms. Julie Dean, Defendant, pro se.

L 2/5

1 that at this time. And jury instructions are typically
2 finalized once the evidence is complete, if that makes any
3 sense, because we don't know. So I'll look at that again.
4 But I'll acknowledge and I'll let you address that again at
5 a later time. Okay. If it becomes --

6 DEFENDANT SAMUEL DEAN: Do you need a copy
7 of the motion at all?

8 THE COURT: No. That's fine. All right.
9 Before the jury comes in, we'll take a break so everybody
10 can use the restroom and everything. Is there anything
11 else?

12 DEFENDANT JULIE DEAN: Your Honor, when you
13 were going through the procedure, the one thing I wasn't
14 sure of. Will the State have rebuttal time for closing?

15 THE COURT: Yes. That's standard. Yes.
16 Uh-huh. We'll have to --

17 DEFENDANT SAMUEL DEAN: Your Honor, we're
18 participating under duress, in our opinion, as an entry and
19 kind of unwillingly because of the reasons we've stated. We
20 don't want to get into a big discussion. We stated about
21 the ex-parte meeting with the coordinator that we were
22 hoping to have happen with our advocate ADA.

23 DEFENDANT JULIE DEAN: ADA.

24 DEFENDANT SAMUEL DEAN: Advocate and have
25 our ADA advocate here for us, and that's not happened. So

3/5

1 we're doing this under duress. And as we have an entry. We
2 can give it to you or we can give it to the clerk.

3 THE COURT: You can just submit it at the
4 Clerk's window.

5 DEFENDANT SAMUEL DEAN: Okay.

6 THE COURT: Well, and I think as I've stated
7 before, the court does not fall within the level of
8 employees to have its own ADA coordinator. The county does
9 have that. I think from the filings that you made, I saw
10 that some contact or something was engaged in. I don't
11 engage in ex-parte contact, so I've not had any contact with
12 that office at all. That's not something I would do. So I
13 don't have -- other than what you have filed, I have no
14 knowledge of that. With regard to any accomodation, the
15 court's provided numerous hearings to allow you to explain
16 what it is that you need. I understand you have issues with
17 not wanting to do that. That's -- but I can't do anything
18 without knowing anything. And I've asked the questions, you
19 won't answer them and that's where we are. So that's where
20 we are here today is based on that. Again, I understand
21 that you disagree with that situation. The Court of Appeals
22 will take a review of that. But that's kind of where we are
23 at this point. And the record is what it is. And that's
24 fine. We don't know what will happen. The jury will do
25 whatever the jury does. If you're dissatisfied with that,

L 4/5

1 then you can file the appeal with the appeal court. That's
2 what they're there for. They'll take a review of
3 everything. If something was improper, then they'll take
4 action. Okay. So that's where we are at this time.
5 Anything else?

6 MS. DAVIS: I don't believe so, your Honor.

7 THE COURT: Okay. Very good. We'll take a
8 break. Everybody can use the restroom and get a drink of
9 water or something and then --

10 DEFENDANT SAMUEL DEAN: Because of my age
11 and condition, I may need to have a bathroom break --

12 THE COURT: I don't hold people hostage, of
13 course. And that goes for everybody. In fact, I'll give
14 the same instruction to the jury and they can just raise
15 their hand and say, I need to take a break. And that's
16 fine.

17 DEFENDANT SAMUEL DEAN: And I also, because
18 of my condition, have trouble staying in one position seated
19 for a long time. Would it be permissible for me to get up
20 here when something else is going on, not make a commotion,
21 but sometimes I need to get up and move.

22 THE COURT: I don't have any issue. Does
23 the State foresee any reason?

24 MS. DAVIS: I -- at this time, no, your
25 Honor.

L 5/5