

In the  
**Supreme Court of Ohio**

|  |   |                      |
|--|---|----------------------|
| State <i>ex rel.</i> Harry M. Barr, IM No. A522-149, | : | Case No. 2023 – 0113 |
|  | : |                      |
| Relator,   | : |                      |
|  | : |                      |
| v.   | : |                      |
|  | : |                      |
| James Wesson,  | : | ORIGINAL ACTION      |
|  | : |                      |
| Respondent.  | : |                      |

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**RESPONDENT’S NOTICE OF COMPLIANCE WITH ORDER**

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HARRY M. BARR IM # A522-149  
Grafton Correctional Institution  
2500 S. Grafton Avon-Belden Rd.  
Grafton, Ohio 44044

*Pro se Relator*

DAVE YOST (0056290)  
Ohio Attorney General

GEORGE HORVÁTH (0030466)  
Senior Assistant Attorney General  
Criminal Justice Section  
Corrections Litigation Unit  
30 East Broad Street, 23<sup>rd</sup> Floor  
Columbus, Ohio 43215  
614-466-6080 Office  
866-366-1559 Fax  
[George.Horvath@OhioAGO.gov](mailto:George.Horvath@OhioAGO.gov)

*Counsel for Respondent:*  
*Dr. James Wesson*

## RESPONDENT'S NOTICE OF COMPLIANCE WITH ORDER

On October 10, 2023, the Court ordered Respondent to provide a copy of the kite, with reference number GCI0422002492, to Relator. Specifically, the kite is identified as a Mental Health Kite, GCI0422002492, dated April 21, 2022. *See* Relator's Brief at p. 1, filed April 21, 2023.

Upon receipt of the aforementioned order, undersigned counsel requested and received a copy of the kite from his legal counterparts at the main office of the Ohio Department of Rehabilitation and Correction ("ODRC").

On October 19, 2023, undersigned mailed the kite to Relator using an ODRC control number. According to the attached tracking of the control number, the kite has been received by Relator. Exhibit A.

Respectfully submitted,

DAVE YOST (0056290)  
Ohio Attorney General

/s/ *George Horváth*  
GEORGE HORVÁTH (0030466)  
Senior Assistant Attorney General  
Criminal Justice Section  
Corrections Litigation Unit  
30 East Broad Street, 23<sup>rd</sup> Floor  
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*Counsel for Respondent: Dr. James Wesson*

**CERTIFICATE OF SERVICE**

I hereby certify that the preceding *RESPONDENT'S NOTICE OF COMPLIANCE WITH ORDER*, has been filed electronically using the Court's e-Filing portal on October 24, 2023. I further certify that a copy has been served upon *pro se* Relator at the below address via U.S. mail, postage prepaid.

HARRY M. BARR IM # A522-149  
Grafton Correctional Institution  
2500 S. Grafton Avon-Belden Rd.  
Grafton, Ohio 44044

*/s/ George Horváth*  
GEORGE HORVÁTH (0030466)  
Senior Assistant Attorney General



**DAVE YOST**  
OHIO ATTORNEY GENERAL

Criminal Justice Section  
Office 614-644-7233  
Fax 866-366-1559

October 19, 2023

Harry M. Barr, #A522-149  
Grafton Correctional Institution  
2500 Avon-Belden Road  
Grafton, Ohio 44044

Re: *Barr vs. Wesson*  
Case No. 2023-0113  
Certified Mail No. 7014 3490 0000 7919 4534

Dear Mr. Barr:

Please find enclosed a copy of the Mental Health Kite, GCI0422002492, dated April 21, 2022, that you requested. Following the receipt of the Court's most recent Order, I initiated an inquiry as to the status of your requested Kite. A day or so ago, the attached was provided to this office following that inquiry.

Accordingly, the Respondent has complied with your request.

Sincerely,

DAVE YOST  
Ohio Attorney General

*George Horvath*

GEORGE HORVÁTH  
Assistant Attorney General  
Criminal Justice Section

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Enclosure

|                    |                       |                           |
|--------------------|-----------------------|---------------------------|
| Ref# GCI0422002492 | Housing:B70389B       | Date Created:04/21/2022   |
| ID#: A522149       | Name:BARR,HARRY       |                           |
| Form:Kite          | Subject:Mental Health | Description:Mental Health |
| Urgent:No          | Time left:n/a         | Status:Closed             |

Original Form

4/21/2022 9:15:58 AM : ( a522149 ) wrote

Under the Mental Health Policy, 67-MNH-12, one finds the rules that govern the CSOP. Is the CSOP under the control and jurisdiction of Mental Health ? Or does it operate independently ? I ask because sex offenses are not classified as a mental disease !

Communications / Case Actions

4/21/2022 9:15:58 AM : ( a522149 ) wrote

Form has been submitted

4/21/2022 10:24:47 AM : ( Jennifer Barry ) wrote

Mr. Barr,

The CSOP program operates independently and answers directly to the Deputy Warden of Special Services. They do not operate under the Mental Health umbrella.

Ms. Barry

4/21/2022 10:24:53 AM : ( Jennifer Barry ) wrote

Closed incarcerated individual form

| Control Number<br>^ | Status<br>⌵ | Mail Room<br>Disposition ⌵ | Disposition<br>Reason ⌵ | ActivatedDate<br>⌵ | Inmate ID<br>⌵ | Inmate<br>Name ⌵ | Group Name ⌵             |
|---------------------|-------------|----------------------------|-------------------------|--------------------|----------------|------------------|--------------------------|
| 101923TTRV          | Received    | Accepted                   | Acceptable              | 10/19/2023         | A522149        | BARR, HARRY M    | Ohio Attorney<br>General |