

Case No. 2024-0675

**Supreme Court
of the State of Ohio**

STATE OF OHIO *ex rel.* CRAIG A. SHUBERT,

Relator,

v.

**ALISON M. BREAUX,
Judge, Summit County Common Pleas Court,**

Respondent.

Original Action in Mandamus and Prohibition

State of Ohio v. Jeremiah E. Stoehr

Summit County Common Pleas Court, Case No. CR-2024-02-0419

RELATOR'S EVIDENCE

Counsel for Relator Craig A. Shubert:

**Curt C. Hartman (0064242)
THE LAW FIRM OF CURT C. HARTMAN
7394 Ridgepoint Drive, Suite 8
Cincinnati, Ohio 45230
(513) 379-2923
*hartmanlawfirm@fuse.net***

Counsel for Respondent Alison M. Breaux:

**Elliot J. Kolkovich (0087316)
Jennifer M. Piatt (0081681)
SUMMIT COUNTY PROSECUTOR'S OFFICE
53 University Avenue #6
Akron, Ohio 44308
(330) 643-2800
*jpiatt@prosecutor.summitoh.net***

Pursuant to the previous order of the Court, *see 05/30/2024 Case Announcements #4, 2024-Ohio-2087*, the STATE OF OHIO, by and on relation to Relator CRAIG A. SHUBERT, identifies and/or tenders the following evidence:

1. The *Verified Supplemental and Amended Complaint*, filed previously in this action on May 20, 2024, leave to file granted and deemed filed pursuant to *05/30/2024 Case Announcements #4, 2024-Ohio-2087*; and
2. The *Affidavit of Curt C. Hartman*, attached hereto, including the exhibits attached thereto.

Respectfully submitted,

/s/ Curt C. Hartman
Curt C. Hartman
THE LAW FIRM OF CURT C. HARTMAN
7394 Ridgepoint Drive, Suite 8
Cincinnati, Ohio 45230
(513) 379-2923
hartmanlawfirm@fuse.net

Counsel for Relator

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing will be served upon the following via e-mail on the 6th day of June 2024:

Jennifer M. Piatt
Civil Division, Summit County Prosecutor's Office
jpiatt@prosecutor.summitoh.net

/s/ Curt C. Hartman

AFFIDAVIT OF CURT C. HARTMAN

State of Florida, County of Miami-Dade) ss:

Comes now *Curt C. Hartman*, having been duly cautioned and sworn, and declares as follows:

1. I am over 18 years of age and have personal knowledge of the facts stated herein.
2. I am attorney licensed to practice in the State of Ohio.
3. Through personal inspection, I discovered that the Summit County Clerk of Courts provides a webpage by which public records requests may be tendered in order to obtain records in cases pending in the Summit County Common Pleas Court. This webpage is located at <https://clerkweb.summitoh.net/prr/prr.aspx>. A true and accurate copy of the form for submission of requests is attached hereto as *Exhibit A*.
4. Using this form, I obtained on May 10, 2024, from the Summit County Clerk of Court the docket for the case of *State of Ohio v. Jeremiah Earl Stoehr*, Case No. CR-2024-02-0419 (referred herein as the *Underlying Criminal Case*), as well as certain specific filings I sought from the *Underlying Criminal Case*.
5. A true and accurate copy of the docket for the *Underlying Criminal Case* as previously provided by the Summit County Clerk of Courts on May 10, 2024, is attached hereto as *Exhibit B*.
6. On May 31, 2024, I made a public records request to the Summit County Clerk of Court using the foregoing webpage seeking the current docket and certain filings in the *Underlying Criminal Case*.
7. Soon after submitting the foregoing public records request, I received a response from the Summit County Clerk of Court declaring that the requested records “are not available. You will have to contact Judge Breaux’s office for any documents, 330-643-8760.”

8. Also on May 31, 2024, I made a second separate public records from the Summit County Clerk of Court using the foregoing webpage seeking other filings in the *Underlying Criminal Case*.

9. A true and accurate copy of an acknowledgment email from the Summit County Clerk of Courts of the two public records requests addressed in the immediately preceding paragraphs, as well as the response email from the Summit County Clerk of Courts is attached hereto as *Exhibit C*. (On the second page of the response from the clerk's office, the hand notation at the bottom right of the page was not made by me but, instead, this is the record as produced by the Summit County Clerk of Courts pursuant to the separate public records request addressed below.)

10. Also on May 31, 2024, I made a separate public records records to the Summit County Clerk of Courts seeking, generally speaking, communications to or from the Clerk's Office addressing access to records in the *Underlying Criminal Case*.

11. On June 3, 2024, I received certain responsive records from the Summit County Clerk of Courts in response to the public records request identified in the immediately preceding paragraph.

12. Included in the public records provided by the Summit County Clerk of Courts on June 3, 2024, was the response to a public records request concerning the *Underlying Criminal Case* that was submitted anonymously on May 9, 2024. A true and accurate copy of this anonymous public records request and the response as provided by the Summit County Clerk of Courts is attached hereto as *Exhibit D*.

13. Also included in the public records provided by the Summit County Clerk of Courts on June 3, 2024, was an email issued from the Office Manager of the Clerk of Courts Office on May

22, 2024, addressing public access to documents in the *Underlying Criminal Case* in light of the *Amended Order* entered by Judge Breaux in the *Underlying Criminal Case*.

14. A true and accurate copy of the email issued by the Summit County Clerk of Courts on May 22, 2024, addressing the *Amended Order* in the *Underlying Criminal Case* is attached hereto as *Exhibit E*.

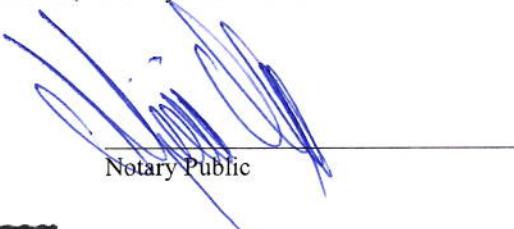
15. The response I received on May 31, 2024, from the Summit County Clerk of Courts when seeking records from the *Underlying Criminal Case*, i.e., *Exhibit C* attached hereto, is generally consistent with the email issued from the Clerk's Office on May 22, 2024, i.e., *Exhibit E*.

Further the Affiant sayeth naught.

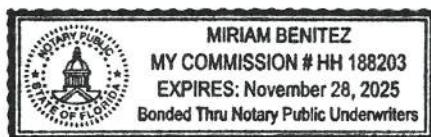


Curt C. Hartman

Sworn to and subscribed before me, a Notary Public in and for the State of Florida, on this the 6th day of June 2024.



Notary Public



Instructions: Complete the fields below and click submit. Your public records request will be submitted electronically to the Summit County Clerk of Courts for processing. You will be notified when your records request has been fulfilled. Requested records will generally be available within 24 hours of the request being received during normal business hours, excluding weekends and legal holidays. Questions? Call: (330) 643-2741.

Requestor Information:	First Name: <input type="text"/>	Delivery options: <input type="radio"/> Pick-up in person <input type="radio"/> Please mail them to me <input type="radio"/> Email (certified copies excluded) <input type="radio"/> Interoffice (Summit County staff)			
	Last Name: <input type="text"/>				
	Firm/Agency: <input type="text"/>				
	Email Address: <input type="text"/>				
	Phone Number: <input type="text"/>				
	Street Address 1: <input type="text"/>				
	Street Address 2: <input type="text"/>				
	City: <input type="text"/>				
	State: <input type="text" value="OH"/>				
	Zip: <input type="text"/>				
Requested Information:	Case Number <input type="text"/>	File Date* <input type="text"/>	Name of Parties* <input type="text"/>	Description of Requested Records* <input type="text"/>	Certified? <input type="checkbox"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/>
<div style="border: 1px solid #ccc; padding: 5px; margin-bottom: 10px;"> <input type="checkbox"/> I'm not a robot </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <small>reCAPTCHA</small> <small>Privacy - Terms</small> </div>					
<input type="button" value="Submit"/>					

rev: 20.0617.1

SUMMIT COUNTY COURT OF COMMON PLEAS
DOCKET REPORT
CASE NUMBER: CR-2024-02-0419

CR-2024-02-0419

ACTION FOR:ADULT CRIMINAL

FILE DATE:2/6/2024
1:59:50 PMPLAINTIFF

STATE OF OHIO
53 University Avenue
Akron, OH 44308

ATTORNEY FOR PLAINTIFFDEFENDANT

JEREMIAH EARL STOEHR
7621 GREENTHORN DR
Hudson, OH 44236

ATTORNEY FOR DEFENDANT

MAXWELL R. HILTNER
137 KING JAMES WAY
STE 201
Akron, OH 44308-1747

OTHER PARTIES

FATHER LAWRENCE JURCAK

ATTORNEY FOR OTHER PARTY

SETON CATHOLIC SCHOOL
6923 STOW RD
Hudson, OH 44236

DOCKET ENTRIES

#	FILE DATE	DOCKET TEXT	FILED BY
1	2/6/2024	SECRET INDICTMENT REQUEST SHEET. (MB)	STATE OF OHIO
2	2/7/2024	SECRET INDICTMENT FILED (AD)	STATE OF OHIO
3	2/7/2024	WARRANT TO ARREST ORDERED (AD)	JEREMIAH EARL STOEHR
4	2/7/2024	WARRANT TO ARREST ISSUED BY SHERIFF STOEHR, JEREMIAH EARL	JEREMIAH EARL STOEHR
5	2/9/2024	NOTICE OF APPEARANCE. (CD)	MAXWELL R. HILTNER
6	2/9/2024	COPY OF NOAP SENT VIA INTEROFFICE MAIL TO PROS & CRIM ASSIGNMENT. (CD)	STATE OF OHIO
7	2/12/2024	NOTICE OF JUDGE ASSIGNMENT. ARR DATE SET. AMC (MB)	STATE OF OHIO
8	2/12/2024	SUMMONS ISSUED BY CERTIFIED MAIL STOEHR, JEREMIAH EARL	JEREMIAH EARL STOEHR
9	2/14/2024	JOURNAL ENTRY- ARRAIGNMENT DATE SET. AB (MB)	STATE OF OHIO
10	2/14/2024	SHERIFF SERVICE - PERSONAL JEREMIAH EARL STOEHR	JEREMIAH EARL STOEHR
11	2/14/2024	CASE REACTIVATION-UNSEAL	STATE OF OHIO
12	2/14/2024	BOND ORDER: NEW 25K 10%; MAX PTS; NO CONTACT; FREE RANGE GPS. AB (CD)	STATE OF OHIO
13	2/14/2024	AUTHORIZATION FOR RELEASE	SUMMIT COUNTY CLERK OF COURTS
14	2/14/2024	10% BOND	SUMMIT COUNTY CLERK OF COURTS
15	2/14/2024	DEMAND FOR DISCOVERY (WV)	MAXWELL R. HILTNER
16	2/14/2024	2/14 JOURNAL ENTRY OF ARRAIGNMENT: HRG SCHEDULED. 25K 10% BOND. AB (MB)	STATE OF OHIO
17	2/20/2024	COMMON PLEAS BOND PAPERS. (WV)	STATE OF OHIO

Exhibit B

18	2/21/2024	CERTIFIED MAIL SERVICE - SERVED JEREMIAH EARL STOEHR	SUMMIT COUNTY CLERK OF COURTS
19	3/19/2024	MOTION TO MODIFY BOND (TS)	MAXWELL R. HILTNER
20	3/20/2024	3/19 ORDER OF CONTINUANCE. AB (WV)	STATE OF OHIO
21	3/28/2024	ORDER - BOND CONDITIONS MODIFIED. AB (WV)	STATE OF OHIO
22	4/12/2024	MOTION TO FILE SUBPOENAS UNDER SEAL (AW)	MAXWELL R. HILTNER
23	4/19/2024	ORDER GRANTING MOTION TO FILE SUBPOENA UNDER SEAL. AB (WV)	STATE OF OHIO
24	4/29/2024	DOCUMENT FILED UNDER SEAL - SUBPOENAS. (WV)	STATE OF OHIO
25	4/29/2024	INSTRUCTIONS FOR SERVICE. (WV)	MAXWELL R. HILTNER
26	4/29/2024	INSTRUCTIONS FOR SERVICE. (WV)	MAXWELL R. HILTNER
27	4/29/2024	NOTICE ISSUED BY SHERIFF FATHER LAWRENCE JURCAK	JEREMIAH EARL STOEHR
28	4/29/2024	NOTICE ISSUED BY SHERIFF SETON CATHOLIC SCHOOL	JEREMIAH EARL STOEHR
29	5/9/2024	TELEVISE/RECORD/PHOTOGRAPH COURT PROCEEDINGS. AB (CD)	STATE OF OHIO
30	5/9/2024	MOTION TO SEAL CLERK OF COURT'S DOCKET DURING PENDENCY OF CASE. (CD)	MAXWELL R. HILTNER
31	5/9/2024	ORDER TO SEAL CRIMINAL CASE. AB (CD)	STATE OF OHIO
32	5/10/2024	SHERIFF SERVICE - RESIDENTIAL FATHER LAWRENCE JURCAK	JEREMIAH EARL STOEHR
33	5/10/2024	SHERIFF SERVICE - RESIDENTIAL SETON CATHOLIC SCHOOL	JEREMIAH EARL STOEHR

COST

<u>POSTED</u>	<u>ACTION</u>	<u>AMOUNT</u>
2/6/2024	CAUS OF ACTION	\$25.00
2/6/2024	CLERK FEE	\$2.00
2/6/2024	COMPUTERIZATION FEE	\$20.00
2/6/2024	LEGAL RESEARCH FEE	\$6.00
2/6/2024	ROTARY REPARATION FUND	\$30.00
2/6/2024	INDIG. DEFENSE SUPPORT	\$30.00
2/6/2024	CRIMESTOPPERS REWARD FEE	\$1.00
2/7/2024	COMPUTERIZATION FEE	\$1.00
2/7/2024	COMPUTERIZATION FEE	\$1.00
2/7/2024	CLERK FEE	\$4.00
2/7/2024	CLERK FEE	\$2.00
2/7/2024	CLERK FEE	\$2.00
2/9/2024	CLERK FEE	\$4.00
2/9/2024	COMPUTERIZATION FEE	\$1.00
2/12/2024	COMPUTERIZATION FEE	\$1.00
2/12/2024	COMPUTERIZATION FEE	\$1.00
2/12/2024	CLERK FEE	\$2.00
2/12/2024	CLERK FEE	\$2.00
2/14/2024	CLERK FEE	\$2.00
2/14/2024	CLERK FEE	\$2.00
2/14/2024	POUNDAGE	\$250.00
2/14/2024	CLERK FEE	\$2.00
2/14/2024	CLERK FEE	\$2.00
2/14/2024	CLERK FEE	\$2.00
2/14/2024	COMPUTERIZATION FEE	\$1.00
2/14/2024	COMPUTERIZATION FEE	\$2.00

2/14/2024	COMPUTERIZATION FEE	\$1.00
2/14/2024	COMPUTERIZATION FEE	\$1.00
2/14/2024	COMPUTERIZATION FEE	\$1.00
2/14/2024	CREDIT CARD FEE	\$75.00
2/14/2024	CREDIT CARD FEE	\$2.55
2/14/2024	JAIL FEES-RECEIVING	\$5.00
2/14/2024	SUMMIT COUNTY SHERIFF	\$20.00
2/14/2024	STENO FEES	\$25.00
2/20/2024	COMPUTERIZATION FEE	\$1.00
2/20/2024	CLERK FEE	\$2.00
3/19/2024	CLERK FEE	\$4.00
3/19/2024	COMPUTERIZATION FEE	\$2.00
3/21/2024	COMPUTERIZATION FEE	\$1.00
3/21/2024	CLERK FEE	\$2.00
3/28/2024	CLERK FEE	\$2.00
3/28/2024	COMPUTERIZATION FEE	\$1.00
4/12/2024	COMPUTERIZATION FEE	\$1.00
4/12/2024	CLERK FEE	\$4.00
4/19/2024	CLERK FEE	\$2.00
4/19/2024	COMPUTERIZATION FEE	\$1.00
4/29/2024	CLERK FEE	\$2.00
4/29/2024	CLERK FEE	\$2.00
5/9/2024	CLERK FEE	\$2.00
5/9/2024	CLERK FEE	\$4.00
5/9/2024	COMPUTERIZATION FEE	\$1.00
5/9/2024	COMPUTERIZATION FEE	\$1.00
5/10/2024	SUMMIT COUNTY SHERIFF	\$51.00
5/10/2024	SUMMIT COUNTY SHERIFF	\$51.00

DEPOSITS

<u>RECEIVED</u>	<u>ACTION</u>	<u>RECEIVED FROM</u>	<u>AMOUNT</u>
2/14/2024	(CR) TEN PERCENT BOND	PAUL STOEHR	\$2,250.00
2/14/2024	(CR) TEN PERCENT BOND	PAUL STOEHR	\$75.00
2/14/2024	(CR) TEN PERCENT BOND	PAUL STOEHR	\$250.00
2/14/2024	(CR) CRIMINAL COST PAYMENT	PAUL STOEHR	\$85.00
2/14/2024	(CR) CRIMINAL COST PAYMENT	PAUL STOEHR	\$2.55

SERVICE

<u>ISSUED</u>	<u>NUMBER</u>	<u>STATUS</u>	<u>SERVED ON</u>	<u>PARTY</u>
2/7/2024		PERSONAL	2/9/2024	STOEHR, JEREMIAH EARL
2/12/2024	921489015774460000 01715380	SERVED	2/17/2024	STOEHR, JEREMIAH EARL
4/29/2024		RESIDENTIA L		FATHER LAWRENCE JURCAK
4/29/2024		RESIDENTIA L		SETON CATHOLIC SCHOOL

Belfiore, Leonard

From: Belfiore, Leonard on behalf of Summit CP Clerk
Sent: Friday, May 31, 2024 3:07 PM
To: hartmanlawfirm@fuse.net
Subject: RE: Public Records Request

These records are not available. You will have to contact Judge Breaux's office for any documents, 330-643-8760.

From: DoNotReplySCCOC@summitoh.net <DoNotReplySCCOC@summitoh.net>
Sent: Friday, May 31, 2024 2:48 PM

To: hartmanlawfirm@fuse.net
Subject: Public Records Request

This message was sent securely using Zix®

At 5/31/2024 2:48:19 PM the following public records request was submitted:

Requestor Contact Information:

Curt Hartman
The Law Firm of Curt
7394 Ridgepoint Drive suite 8, Cincinnati, OH, USA
Cincinnati, OH 45230
5133792923

Preferred delivery method: **Email (certified copies excluded)**

Requested Information:

Case Number	File Date	Caption/Party	Description of Requested Records	Certified?
CR-2024-02-0419	XX/X/XXX	Jeremiah Stoehr	Current docket of the case	False
CR-2024-02-0419	4/12/2024	Jeremiah Stoehr	Motion to file Subpoena Under Seal (Doc. No. 22)	False
CR-2024-02-0419	4/19/2024	Jeremiah Stoehr	Order Granting Motion to file Subpoena Under Seal (Doc. No. 23)	False

Thank you from Tavia Galonski, the Summit County Clerk of Courts. Your request has been received. We look forward to serving you.

Brand, Dan

From: DoNotReplySCCOC@summitoh.net
Sent: Friday, May 31, 2024 3:22 PM
To: hartmanlawfirm@fuse.net
Subject: Public Records Request

Categories: CRIMINAL

This message was sent securely using Zix®

At 5/31/2024 3:22:02 PM the following public records request was submitted:

Requestor Contact Information:

Curt Hartman
The Law Firm of Curt
7394 Ridgepoint Drive suite 8, Cincinnati, OH, USA
Cincinnati, OH 45230
5133792923

Preferred delivery method: **Email (certified copies excluded)**

Requested Information:

Case Number	File Date	Caption/Party	Description of Requested Records	Certified?
CR-2024-02-0419	2/7/2024	Jeremiah Stoehr	Indictment (Doc. 2)	False
CR-2024-02-0419	3/19/2024	Jeremiah Stoehr	Motion to Modify Bond (Doc. 19)	False
CR-2024-02-0419	5/9/2024	Jeremiah Stoehr	Order to Seal Criminal Case (Doc. 31)	False
CR-2024-02-0419	5/16/2024	Jeremiah Stoehr	Amended Order	False

Thank you from Tavia Galonski, the Summit County Clerk of Courts. Your request has been received. We look forward to serving you.

This message was secured by Zix®.

Diane respond us ready
because answered him at
3:07

Belfiore, Leonard

From: Belfiore, Leonard on behalf of Summit CP Clerk
Sent: Friday, May 10, 2024 8:09 AM
To: gladiatoroverlander@gmail.com
Subject: RE: Public Records Request

These records are not available. Sorry for the inconvenience.

From: DoNotReplySCCOC@summitoh.net <DoNotReplySCCOC@summitoh.net>
Sent: Thursday, May 9, 2024 9:48 PM
To: gladiatoroverlander@gmail.com
Subject: Public Records Request

This message was sent securely using Zix®

At 5/9/2024 9:48:26 PM the following public records request was submitted:

Requestor Contact Information:

Anonymous Anonymous

, OH
3302012799

Preferred delivery method: **Email (certified copies excluded)**

Requested Information:

Case Number	File Date	Caption/Party	Description of Requested Records	Certified?
2024-02-0419	February 7, 2024	Jeremiah Earl Stoehr	Any and all documents related to said case including indictment filed, motions filed, judges orders etc.	False

Thank you from Tavia Galonski, the Summit County Clerk of Courts. Your request has been received. We look forward to serving you.

This message was secured by Zix®.

Belfiore, Leonard

From: Swearingen, Tina
Sent: Wednesday, May 22, 2024 10:28 AM
To: Williams, Alexandria; Durbin, Cara; Fuhry, Hannah; Schaffer, Suzy
Cc: Brand, Dan; LaConey, Khristopher; Belfiore, Leonard; Smith, Tami
Subject: State v. Jeremiah Stoehr Case No. 2024-02-0419
Attachments: copysccoc@summitoh.net_20240522_091158.pdf

Per the attached Court Order filed May 16, 2024, and per my conversation with the Court for clarification, the above case is sealed from public access. If anyone wants copies of documents from this file, they must get permission from Judge Breaux in the form of a signed Court Order. This order will indicate who can get the copies and which documents we are to release to them. They can call Judge Breaux's bailiff at (330) 643-8160.

If anyone calls and wants to know about a Court hearing, we can give dates and times for those, but that is the **ONLY** information we can give to anyone without a court order. We are not to read documents to them or give any information regarding this case other than court dates and times.

If anyone argues or thinks they should have access to the case documents without a court order, please tell them to contact Judge Breaux's bailiff and she will handle it.

For my staff, when you docket any type of order to seal public access on a case, please make sure I get a copy of the Order. I was not aware that this Order was filed until yesterday when someone outside of our division asked me about it.

Also for my staff, we will continue to issue service to the Court, prosecutors and defense attorneys as we always do on cases sealed from the internet only.

If anyone has any questions, please let me know.

Thank you.

Tina Swearingen
Office Manager – Criminal Division
Summit County Clerk of Courts
205 S. High Street
Akron, OH 44308
(330) 643-7398
Fax: (330) 643-7772



Clerk of Courts Title Division is a passport agency. We take passport pictures and will handle all of your passport needs. Call with any questions 330-630-7200.

Clerk of Courts Legal Division is a BCI & FBI background check agency. Call with any questions 330-643-7398.