

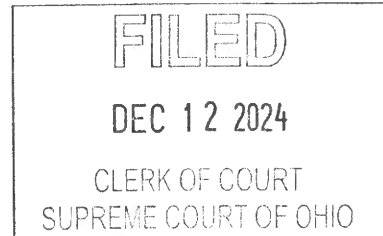
**Mandamus Complaint
In The Supreme Court Of Ohio**

**State ex rel. Dustin Barker, Relator,
v.
Muskingum County Sheriff's Office, Respondent.**

24-1714

Case No.:

Complaint for Writ of Mandamus



Introduction

This is a complaint for a writ of mandamus to compel the Muskingum County Sheriff's Office to comply with public records requests made by the Relator.

Jurisdiction and Venue

This Court has jurisdiction under Article IV, Section 2(B)(1)(b) of the Ohio Constitution and R.C. 2731.02.

Facts

On or about October 16th 2024 I, Dustin Barker, submitted a public records request to the Muskingum County Sheriff's Office. The request included:

Email correspondence, including attachments, between the Muskingum County Sheriff and/or deputies and external parties over the past three months.

Incident and use of force reports filed in the past three months.

Personnel records and disciplinary actions taken against deputies or staff over the past three months.

Financial records, including budget reports and expense records, over the past three months.

Public complaints and investigations filed against the Muskingum County Sheriff's Office or its deputies over the past three months.

Body camera and dash camera footage from the past three months.

Conflict of interest disclosures or recusals made by deputies or staff over the past three months.

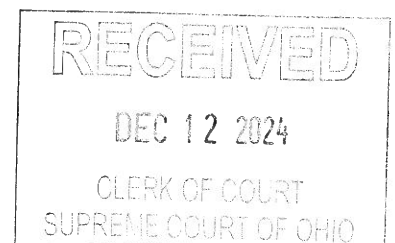
Despite multiple follow-ups, the Muskingum County Sheriff's Office has failed to provide the requested records.

Under Ohio Revised Code 149.43, I am entitled to access the requested public records.

Prayer for Relief

Relator prays this court Issue a writ of mandamus compelling the Muskingum County Sheriff's Office to provide the requested records.

Award statutory damages as provided under R.C. 149.43©(2).



Grant injunctive relief to prevent the destruction of records and ensure compliance with public records laws.

Order data recovery measures to retrieve any records that may have been improperly destroyed or withheld.

Grant any other relief the Court deems appropriate.

Signature: 

Dustin Barker

2219 w erie ave Lorain ohio 44052

4406540760

D5793706@gmail.com

Supporting Affidavit
In The Supreme Court Of Ohio

State ex rel. Dustin Barker, Relator,
v.
Muskingum County Sheriff's Office, Respondent.

Case No.:

Affidavit of Dustin Barker

Introduction

I, Dustin Barker, being duly sworn, depose and state as follows:

Facts

On or about October 16th 2024, I submitted a public records request electronically to the Muskingum County Sheriff's Office for 12 records.

the Muskingum County Sheriff's Office has failed to provide the requested records. I included a copy of my request they sent me a copy of but only includes 6 of the requested records, the other 6 haven't been responded to. I don't have a copy of my request but they were similar to the first 6 but involved Other staff.

The statements made in the complaint are true to the best of my knowledge.

Signature:

Dustin Barker

Dustin Barker
2219 w erie ave Lorain ohio 44052
4406540760
D5793706@gmail.com

Notary Public:

Nov 20, 2024

Arthur J. Marcussen



ARTHUR J. MARCUSSEN
Notary Public
State of Ohio
My Comm. Expires
December 21, 2026

8:15

5G 29%



Ohio - C...
umsheriff.org



Muskingum County Sheriff

Office - Contact Us

Thank-you for contacting the Muskingum County Sheriff's Office. We will respond to your message during normal hours.



Muskingum County Sheriff's Office - Contact Us - 3458

To:

General Delivery

Your Name

Dustin Barker

Your Phone

(440) 654-0760

Your Email

d5793706@gmail.com

Your Subject

Public records request

Your Message

1. Email Correspondence:



Muskingum County Sheriff

Office - Contact Us

Thank-you for contacting the Muskingum County Sheriff's Office. We will respond to your message during normal hours.



Muskingum County Sheriff's Office - Contact Us - 3459

To:

General Delivery

Your Name

Dustin Barker

Your Phone

(440) 654-0760

Your Email

d5793706@gmail.com

Your Subject

Public records request

Your Message

1. Email Correspondence:

All email communications, including attachments, between the Muskingum County Sheriff and/or deputies and external parties (including law enforcement, government officials,



Muskingum County Sheriff's Office - Contact Us

To:
General Delivery

Your Name
Dustin Barker

Your Phone
(440) 654-0760

Your Email
d5793706@gmail.com

Your Subject
Public records request

Your Message
1. Email Correspondence:

All email communications, including attachments, between the Muskingum County Sheriff and/or deputies and external parties (including law enforcement, government officials, attorneys, or private entities) over the past three months.

Specifically, emails related to investigations, arrests, handling of evidence, or any communications that could indicate improper influence or misconduct.

2. Incident and Use of Force Reports:

All incident reports and use of force reports filed in the past three months involving deputies of the Muskingum County Sheriff's Office.

Focus on reports that led to internal investigations or external complaints of misconduct, excessive force, or abuse of power.

3. Personnel Records and Disciplinary Actions:

Records of any complaints, internal investigations, or disciplinary actions taken against deputies or staff within the Muskingum County Sheriff's Office over the past three months.

This includes any documents related to ethics violations, conflicts of interest, or allegations of corruption.

4. Financial Records:

Budget reports, expense records, and any financial documentation of the Muskingum County Sheriff's Office over the past three months, including records of payments made to vendors or contracts awarded.

Include records that may reveal conflicts of interest, misuse of funds, or improper financial dealings.

5. Public Complaints and Investigations:

Any public complaints filed against the Muskingum County Sheriff's Office or its deputies over the past three months, along with records of internal or external investigations into those complaints.

6. Body Camera and Dash Camera Footage:

Any available body camera or dash camera footage from the past three months related to incidents that involved use of force, detainment, or controversial arrests.

Please provide the relevant policies on retention of such footage.

7. Conflict of Interest Disclosures and Recusals:

Records of conflict of interest disclosures or recusals made by deputies or staff in the Muskingum County Sheriff's Office from the past three months.


Praecipe
In The Supreme Court Of Ohio

State ex rel. Dustin Barker, Relator,
v.
Muskingum County Sheriff's Office, Respondent.

Case No.:

To the Clerk of the Supreme Court of Ohio:

Please issue a summons to the Muskingum County Sheriff's Office, directing them to respond to the attached Complaint for Writ of Mandamus.

Signature: 
Dustin Barker
2219 w erie ave Lorain ohio 44052
4406540760

Parties

**Relator: Dustin Barker,
2219 w erie ave Lorain ohio 44052. 4406540760**

Pro Se

**Respondent: Muskingum County Sheriff's Office,
1840 e pike Zanesville ohio 43701
7404557134**

**Attorney of record: ohio attorney General David Yost
Rhodes State Office Tower, 30 E Broad St 14th Floor, Columbus, OH 43215
8002820515**

**Service was provided to opposing Party counsel via us mail To
ohio attorney General David Yost
Rhodes State Office Tower, 30 E Broad St 14th Floor, Columbus, OH 43215**

Respectfully

Dustin Barker

Dustin Barker