

**IN RE DISQUALIFICATION OF BUCKWALTER.**

**THE STATE OF OHIO v. JOHNSON.**

**[Cite as *In re Disqualification of Buckwalter*, 168 Ohio St.3d 1209,  
2022-Ohio-2214.]**

*Judges—Affidavits of disqualification—R.C. 2701.03(A)—Affiant has not demonstrated that she is a party to the underlying case—Affidavit dismissed.*

(No. 22-AP-057—Decided May 9, 2022.)

ON AFFIDAVIT OF DISQUALIFICATION in Greene County Court of Common Pleas,  
General Division, Case No. 2021CR00124.

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**O’CONNOR, C.J.**

{¶ 1} Bridget M. Rogers has filed an affidavit pursuant to R.C. 2701.03 and Article IV, Section 5(C) of the Ohio Constitution seeking to disqualify Judge Michael A. Buckwalter from the above-referenced case.

{¶ 2} Ms. Rogers states that she is the mother of the defendant, Gabriel I. Johnson, and that Judge Buckwalter is biased against her son. Under R.C. 2701.03(A), an affidavit to disqualify a judge may be filed by “any party to the proceeding or the party’s counsel.” In previous affidavit-of-disqualification cases, “the chief justice has strictly enforced this statutory requirement and consistently found that individuals who do not qualify as a ‘party’ or ‘party’s counsel’ do not have standing to file an affidavit of disqualification.” *In re Disqualification of Grendell*, 137 Ohio St.3d 1220, 2013-Ohio-5243, 999 N.E.2d 681, ¶ 2 (dismissing affidavit of disqualification filed by a grandparent who was not a party to the case). Because Ms. Rogers has not demonstrated that she is a party to the underlying

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criminal case, she is not one of the persons who may file an affidavit of disqualification regarding the case.

{¶ 3} The affidavit of disqualification is dismissed. The case may proceed before Judge Buckwalter.

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