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SLIP OPINION NO. 2026-OHIO-4095

**THE STATE EX REL. BRADFORD, APPELLANT, v. JENKINS, JUDGE, ET AL.,
APPELLEES.**

**[Until this opinion appears in the Ohio Official Reports advance sheets, it
may be cited as *State ex rel. Bradford v. Jenkins*, Slip Opinion No.
2026-Ohio-4095.]**

Prohibition—Writ sought to order judges to vacate a second sentencing judgment entry for lack of subject-matter jurisdiction—Inmate had challenged on four previous occasions the subject-matter jurisdiction of court that sentenced him—Inmate is precluded by res judicata from seeking in a prohibition action successive appellate review of issues that were or could have been litigated in his previous cases—Court of appeals’ dismissal of petition affirmed.

(No. 2025-1272—Submitted March 24, 2026—Decided October 21, 2026.)

APPEAL from the Court of Appeals for Hamilton County, No. C-250316.

The per curiam opinion below was joined by KENNEDY, C.J., and DEWINE,

BRUNNER, DETERS, HAWKINS, and SHANAHAN, JJ. FISCHER, J., did not participate.

Per Curiam.

{¶ 1} Appellant, Pele K. Bradford, appeals the First District Court of Appeals' judgment sua sponte dismissing his complaint for a writ of prohibition against appellees, 15 current or former judges of the Hamilton County Court of Common Pleas.¹ In his verified complaint, Bradford alleged that he was indicted in 2004 on one count of aggravated murder and one count of having weapons while under disability. In exchange for Bradford's agreement to provide testimony in a separate case, the State withdrew the aggravated murder charge and Bradford pleaded guilty to a lesser charge of voluntary manslaughter. The trial court accepted Bradford's plea, sentenced him, and rendered a valid, final judgment. When Bradford later refused to testify as agreed, the State moved to vacate his sentence and to try him on the original indictment. The trial court granted the motion, Bradford was convicted of the original charges, and the trial court resentenced him.

{¶ 2} In June 2025, Bradford filed a prohibition action in the First District, seeking an order compelling the trial court to vacate the second sentence. Bradford argued that the trial court lacked jurisdiction to resentence him after it had already entered a final judgment under Crim.R. 32. The First District sua sponte dismissed his complaint, concluding that because the trial court had not patently and unambiguously lacked jurisdiction, Bradford possessed an adequate remedy in the ordinary course of law in the form of a direct appeal and therefore was not entitled to the writ of prohibition.

1. The appellees include Judges Christian A. Jenkins, Wende C. Cross, Lisa C. Allen, Jennifer L. Branch, Katie Casch, Leslie Ghiz, Alison Hatheway, Jody M. Luebbbers, Melba D. Marsh, Nicole L. Sanders, Patrick T. Dinkelacker, Robert A. Goering, Tom Heekin, Alan C. Triggs, and Christopher A. Wagner.

{¶ 3} Because Bradford’s claim is barred by the doctrine of res judicata, we affirm.

FACTS AND PROCEDURAL HISTORY

{¶ 4} Because we are reviewing the court of appeals’ judgment sua sponte dismissing Bradford’s request for a writ of prohibition, we accept as true the facts alleged in Bradford’s complaint. *See State ex rel. Ellis v. Adult Parole Auth.*, 2025-Ohio-1625, ¶ 3. In January 2004, Bradford was indicted in the Hamilton County Court of Common Pleas on one count of aggravated murder, which included two firearm specifications, and one count of having weapons while under disability. Bradford initially pleaded not guilty to the charges. The parties subsequently reached an agreement, which was conditioned on Bradford’s providing testimony in a separate case. In exchange for Bradford’s promise to testify, the State withdrew the aggravated-murder charge and Bradford pleaded guilty to the lesser charge of voluntary manslaughter, both firearm specifications, and the original charge of having weapons while under disability.

{¶ 5} After Bradford pleaded guilty to the reduced charges as agreed, the trial court sentenced him to an aggregate term of fourteen years in prison. The trial court proceeded to journalize a final judgment under Crim.R. 32, which, according to Bradford, set forth “(1) the fact of conviction, (2) the sentence, (3) the judge’s signature, and (4) the time stamp indicating that the clerk entered the judgment in the journal.”

{¶ 6} However, Bradford later reneged on the agreement. And because he had breached the agreement, the State moved to vacate his sentence. The trial court granted the State’s motion, vacated Bradford’s sentence, and scheduled a trial on the charges in the original indictment. At trial, Bradford was convicted on both counts—aggravated murder and having weapons while under disability—as well as the firearm specifications. On June 8, 2004, based on Bradford’s conviction at trial, the trial court journalized a judgment and sentence of 24 years to life in prison.

{¶ 7} Based on these alleged facts, Bradford filed a complaint for a writ of prohibition with the First District on June 9, 2025, contending that the trial court had lacked subject-matter jurisdiction to vacate his original sentence, to try him on the originally charged offenses, and to resentence him because it had already entered final judgment under Crim.R. 32. He sought a writ of prohibition ordering appellees to vacate the June 8, 2004 judgment entry and requested an award of court costs.

{¶ 8} Along with his complaint, Bradford filed a motion requesting to expedite the proceedings and requesting leave to file a motion for summary judgment. Bradford attached his motion for summary judgment, which relied entirely on his complaint as evidence. Appellees answered the complaint on July 10, 2025, and, on the same day, filed their own motion for summary judgment. Bradford filed a memorandum in opposition to appellees' motion for summary judgment on August 5.

{¶ 9} On August 21, 2025, the First District entered an order sua sponte dismissing Bradford's complaint and denying all pending motions as moot. The First District concluded that, taking the allegations in the complaint as true, Bradford could not prevail because the trial court had not patently and unambiguously lacked jurisdiction over his case and, therefore, Bradford possessed an adequate remedy in the ordinary course of law in the form of a direct appeal.

ANALYSIS

{¶ 10} To be entitled to a writ of prohibition, Bradford must establish that (1) appellees exercised judicial power, (2) the exercise of judicial power was unauthorized by law, and (3) denying the writ would result in injury for which there is no adequate remedy in the ordinary course of law. *State ex rel. Elder v. Camplese*, 2015-Ohio-3628, ¶ 13. Bradford need not establish the lack of an adequate remedy in the ordinary course of law, however, if appellees patently and unambiguously lacked jurisdiction. *See State ex rel. Sartini v. Yost*, 2002-Ohio-

3317, ¶ 33 (“Because the foregoing lack of jurisdiction on the part of [the trial-court judge] was *patent and unambiguous*, the availability of any other adequate remedy is immaterial.” [Emphasis in original.]).

{¶ 11} In his merit brief, Bradford raises only one proposition of law: that the First District erred by sua sponte dismissing his complaint because this court had already determined, in a separate proceeding, that his claim “challenges subject matter jurisdiction.” Specifically, Bradford argues that the facts alleged in his complaint in this case are “almost identical” to the facts he alleged in *State ex rel. Bradford v. Palmer*, 2024-Ohio-4929. Bradford argues that in *Palmer*, this court “held that the facts [he] asserted . . . demonstrate[d] that the trial court [had] patently and unambiguously lacked subject-matter jurisdiction.”

{¶ 12} On this point, Bradford is wrong. In *Palmer*, we considered Bradford’s appeal of the Seventh District Court of Appeals’ dismissal of his petition for a writ of habeas corpus on res judicata grounds. *Id.* at ¶ 1. We did characterize that habeas claim, which was based on the same allegations set forth here, as a “jurisdiction claim,” *id.* at ¶ 9, 10. We did not, however, determine that the sentencing court had lacked subject-matter jurisdiction, much less that it had patently and unambiguously lacked jurisdiction. Rather, we took judicial notice of two prior habeas actions that Bradford had asserted in this court and affirmed the court of appeals’ judgment on the ground that Bradford’s action—a third successive habeas action—was barred by the doctrine of res judicata. *Id.* at ¶ 12-15.

{¶ 13} Here, we again need not reach the merits of Bradford’s claim because, like in *Palmer*, it is barred by res judicata. This is at least the fourth time that Bradford has challenged the subject-matter jurisdiction of the court that sentenced him. In addition to the two habeas actions discussed in *Palmer* and the habeas action resolved in *Palmer*, Bradford filed a prohibition action in this court in 2015 alleging that the Hamilton County Court of Common Pleas had lacked

subject-matter jurisdiction—and that his conviction was therefore void—due to defects in the indictment.

{¶ 14} In that case, we granted the common pleas court’s motion to dismiss and dismissed the action without specifying that the dismissal was not an adjudication on the merits. *State ex rel. Bradford v. Hamilton Cty. Court of Common Pleas*, 2015-Ohio-3427. Because we did not specify otherwise, that dismissal operates as an adjudication on the merits. *See Hughes v. Calabrese*, 2002-Ohio-2217, ¶ 13 (“[U]nder Civ.R. 41(B)(3), our dismissal of Hughes’s first prohibition action operated as an adjudication on the merits because we did not specify otherwise.”); S.Ct.Prac.R. 12.01(A)(2)(b) (“The Ohio Rules of Civil Procedure shall supplement [The Supreme Court of Ohio Rules of Practice] unless clearly inapplicable.”). We may properly take judicial notice of Bradford’s 2015 prohibition action because it was an original action filed in this court. *See Lopez v. Warden*, 2018-Ohio-4061, ¶ 6; *State ex rel. Neff v. Corrigan*, 75 Ohio St.3d 12, 16 (1996).

{¶ 15} “Res judicata bars the litigation of all claims that either were or might have been litigated in a first lawsuit.” *Hughes* at ¶ 12; *see also Grava v. Parkman Twp.*, 73 Ohio St.3d 379, 383 (1995), quoting 1 Restatement of the Law 2d, Judgments, § 25, at 209 (1982) (explaining that res judicata precludes a second action ““even though the plaintiff is prepared in the second action (1) To present evidence or grounds or theories of the case not presented in the first action, or (2) To seek remedies or forms of relief not demanded in the first action” [emphasis deleted])). Thus, we have held that a successive prohibition claim is barred by res judicata. *State ex rel. Essig v. Blackwell*, 2004-Ohio-5586, ¶ 30.

{¶ 16} To be sure, we have recently emphasized that res judicata bars only claims “of the sort that the plaintiff might have brought in the first action.” *Sheetz, Inc. v. Centerville*, 2026-Ohio-3531, ¶ 13, citing *Covington & Cincinnati Bridge Co. v. Sargent*, 27 Ohio St. 233, 237 (1875). In *Sheetz*, we rejected the argument

that this court’s decision in *Grava* had done away with this limiting principle and reiterated that res judicata does not bar claims that *could not* have been brought in the first action. *See id.* at ¶ 17-19, 29-30 (plaintiff’s claims for damages and declaratory relief were not barred by res judicata because such claims could not have been litigated in earlier administrative appeal under R.C. Ch. 2506).

{¶ 17} However, this principle does not help Bradford. Bradford could have argued any cognizable claim that he had in prohibition in his 2015 action. Unlike in *Sheetz*, in this case, there was no “formal barrier,” *id.* at ¶ 29, preventing Bradford from asserting, in addition to his defective-indictment theory, that the trial court lacked subject-matter jurisdiction to resentence him after it had already entered final judgment. But he failed to do so, and he is barred by res judicata from doing so now. *See Bevins v. Richard*, 2015-Ohio-2832, ¶ 2, 4 (petitioner’s habeas action alleging trial court lost subject-matter jurisdiction following mistrial was barred by prior habeas action alleging violation of speedy-trial rights); *State ex rel. Norris v. Adult Parole Auth.*, 2025-Ohio-5011, ¶ 10-12 (relator’s prohibition action alleging that a sentencing entry was void due to a forged signature was barred by res judicata because relator “could have raised that argument” in previous challenges).

{¶ 18} In sum, regardless of whether the First District erred in concluding that Bradford’s allegations failed to state a claim for relief in prohibition—a question we need not answer—we affirm on the alternative grounds of res judicata. *See Palmer*, 2024-Ohio-4929, at ¶ 13; *State ex rel. Peebles v. Anderson*, 73 Ohio St.3d 559, 560 (1995) (“[A] reviewing court is not authorized to reverse a correct judgment merely because erroneous reasons were assigned as a basis thereof.”).

CONCLUSION

{¶ 19} For the foregoing reasons, we affirm the First District Court of Appeals’ judgment dismissing Bradford’s complaint.

Judgment affirmed.

SUPREME COURT OF OHIO

Pele K. Bradford, pro se.

Connie Pillich, Hamilton County Prosecuting Attorney, and Philip R.
Cummings, Assistant Prosecuting Attorney, for appellees.
