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**SLIP OPINION NO. 2026-OHIO-XXXX**

**THE STATE EX REL. AMES, APPELLEE, *v.* WEST GEAUGA LOCAL SCHOOL DISTRICT BOARD OF EDUCATION, APPELLANT.**

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State ex rel. Ames v. W. Geauga Local School Dist. Bd. of Edn.*, Slip Opinion No. 2026-Ohio-4653.]**

*Public-records requests—Sanctions—Court of appeals did not err in refusing to rule on motion for sanctions that school board purportedly included in its answer to relator's mandamus petition—Court of appeals did not abuse discretion in denying board's November 17, 2025 motion for a sanctions hearing or its December 20, 2025 motion for sanctions—Court of appeals correctly denied as untimely board's third revised motion for sanctions, to vacate, and for leave to file a revised motion—Judgment affirmed.*

(No. 2026-0211—Submitted August 11, 2026—Decided November 25, 2026.)

APPEAL from the Court of Appeals for Geauga County,

No. 2025-G-0016, 2025-Ohio-5179.

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The per curiam opinion below was joined by KENNEDY, C.J., and FISCHER, DEWINE, BRUNNER, DETERS, HAWKINS, and SHANAHAN, JJ.

**Per Curiam.**

**{¶ 1}** Appellant, the West Geauga Local School District Board of Education, appeals three judgments of the Eleventh District Court of Appeals denying various postjudgment motions for sanctions filed by the board against appellee, Brian M. Ames. In the underlying case, Ames brought a public-records mandamus action against the board. The Eleventh District sua sponte dismissed that action, and Ames appealed.[1] The board then filed several motions for sanctions against Ames. The Eleventh District denied the motions, and the board appeals. We affirm.

**{¶ 2}** The parties have also filed numerous motions peripheral to the merits of the case. For the reasons explained below, we deny these motions.

## I. BACKGROUND

### A. Ames's Public-Records Mandamus Action

**{¶ 3}** On March 24, 2025, Ames submitted a public-records request to the board's treasurer, asking for a copy of "the check register for February 2025." On April 3, the board's counsel emailed Ames a redacted copy of the record. Ames objected to the redactions and announced his intention to proceed in mandamus. On April 21, Ames sent to the board by certified mail the "Court of Claims public records access formal complaint" ("pre-suit complaint") that is required before a public-records requester seeking to compel the production of public records may commence a mandamus action. *See* R.C. 149.43(C)(1). The certified-mail receipt indicates that the pre-suit complaint was delivered on April 28.

1. We affirmed. *See State ex rel. Ames v. W. Geauga Local School Dist. Bd. of Edn.*, 2026-Ohio-4076.

**{¶ 4}** Two days later, on April 30, Ames filed in the Eleventh District a petition for a writ of mandamus to compel the board to produce an unredacted copy of the requested record. The petition included a separate "affidavit of verity" containing the written affirmations required by R.C. 149.43(C)(2): that Ames had properly transmitted a complaint to the public office, that the complaint was transmitted to the board at least three business days before he filed the suit, and that the failure alleged in the complaint had not been cured or otherwise resolved. Attached to the mandamus petition as an exhibit was the certified-mail receipt showing that the pre-suit complaint was delivered on April 28.

**{¶ 5}** The board's answer to Ames's petition includes a section titled "Additional Defenses," in which the board "avers" that the Eleventh District should sua sponte make certain factual and legal "find[ings]," including:

> 60. The Board avers that this Honorable Court should sua sponte find that the Verified Petition is frivolous and in violation of Civ.R. 11 and applicable rules.
>
> 61. The Board avers that this Honorable Court should sua sponte find that the Verified Petition is frivolous and in violation of R.C. 2323.51 and applicable laws.
>
> 62. The Board avers that this Honorable Court should sua sponte find that the Verified Petition is frivolous and in violation of R.C. 149.43(C)(6) and applicable laws.
>
> 63. This Honorable Court should schedule a hearing and find that the Board is entitled to attorney fees and costs pursuant to Civ.R. 11, R.C. 2323.51, R.C. 149.43(C)(6), and applicable rules and laws.

**{¶ 6}** The board also filed a motion for judgment on the pleadings, seeking dismissal of Ames's mandamus petition for lack of subject-matter jurisdiction, lack of personal jurisdiction, insufficiency of process, insufficiency of service of process, and failure to state a claim upon which relief can be granted.

**{¶ 7}** On November 17, 2025, the Eleventh District sua sponte dismissed Ames's petition for failure to comply with the procedural requirements of R.C. 149.43(C)(1). 2025-Ohio-5179, ¶ 6-7 (11th Dist.). The court concluded that dismissal was required because Ames impermissibly filed his mandamus petition within the three-business-day period the board was allowed under the statute to cure the failure alleged in the pre-suit complaint. *Id.* The Eleventh District also overruled all pending motions as moot. *Id.* at ¶ 7.

**{¶ 8}** Ames appealed the judgment the same day it was entered. We ultimately affirmed in October 2026. *See State ex rel. Ames v. W. Geauga Local School Dist. Bd. of Edn.*, 2026-Ohio-4076 ("*Ames I*").

### B. Postjudgment Motions

#### *1. Motion "for a sanctions hearing" (Nov. 17, 2025)*

**{¶ 9}** In the meantime, after the Eleventh District dismissed Ames's mandamus action, the board filed a motion "for a sanctions hearing" on November 17, 2025. In the motion, the board contended that Ames violated R.C. 2323.51, R.C. 149.43(C)(6), and Civ.R. 11 and requested that his "past, current, and threatened conduct" in this case be deemed frivolous conduct as defined in R.C. 2323.51.[2] The board requested a hearing on whether Ames's conduct was frivolous

2. In this motion and another of its postjudgment motions, the board also sought sanctions under App.R. 23 ("If a court of appeals shall determine that an appeal is frivolous, it may require the appellant to pay reasonable expenses of the appellee including attorney fees and costs."). However, App.R. 23 by its terms is limited to frivolous appeals and does not apply here. *See Coburn v. Auto-Owners Ins. Co.*, 2010-Ohio-3327, ¶ 54 (10th Dist.) ("App.R. 23 applies to frivolous appeals, not frivolous filings.").

and whether the board was adversely affected by it. The motion also included a request for sanctions in a separate pending case.

**{¶ 10}** On January 12, 2026, the Eleventh District denied the board's November 17, 2025 motion. The court found that the board had "provide[d] no facts other than the mere existence of the petition to support its assertions" and "se[t] forth no facts demonstrating how it ha[d] been harassed or maliciously injured." No. 2025-G-0016, 3, 4 (11th Dist. Jan. 12, 2026). The court also rejected the board's contention that a sanctions hearing was required under R.C. 2323.51. On the final page of its entry, the court ordered the parties to "**not file any pleadings beyond the time limits without seeking leave of court**," noting that "[f]ailure to do so may result in such pleading being stricken, sua sponte." (Emphasis in original.) *Id.* at 5. In addition, the Eleventh District ordered that the board's request for sanctions in the separate case be stricken.

**{¶ 11}** On January 16, the court issued a judgment to clarify that it was striking from the board's November 17, 2025 motion its request for sanctions in a separate case. This is the second of the three judgments from which the board has appealed.

***2. Motion for sanctions (Dec. 20, 2025)***

**{¶ 12}** On December 12, 2025, Ames filed a motion for sanctions against the board's counsel, Matthew John Markling, for allegedly making a false statement that caused the Eleventh District to improperly dismiss Ames's mandamus action. On December 20, the board filed a response in which it moved for sanctions against Ames for filing his motion. The board argued that instead of moving for sanctions, Ames should have filed a Civ.R. 60(B) motion for relief from judgment or raised the argument in his merit brief in his appeal from the Eleventh District's dismissal of his mandamus action. According to the board, the fact that Ames had requested sanctions against Markling instead of pursuing other paths to relief warranted sanctions against Ames under R.C. 2323.51 and Civ.R. 11.

**{¶ 13}** The Eleventh District addressed the board's December 20, 2025 motion for sanctions in its February 23, 2026 judgment, as noted immediately below.

### *3. Third revised motion for sanctions, to vacate, and for leave to file a revised motion for sanctions (Jan. 22, 2026)*

**{¶ 14}** On January 21, 2026, the board filed a document styled as a "motion for sanctions, motion to vacate, and motion for leave to file a revised motion for sanctions instanter." The board filed a revised version of that motion later that day, then second and third revised versions the next day. In the third revised motion, the board again requested sanctions against Ames under R.C. 2323.51, R.C. 149.43(C)(6), and Civ.R. 11. It argued that its request for sanctions was timely even though it was submitting the request more than 30 days after the Eleventh District's November 17, 2025 judgment dismissing Ames's mandamus petition,[3] because "neither the November 17, 2025 order nor [the] January 12, 2026 order of [the Eleventh District] are final appealable orders." According to the board, because it had made a "demand for sanctions" in its answer to Ames's mandamus petition and the November 17, 2025 judgment did not dispose of that "demand," the judgment was not a final, appealable order. In the alternative, the board requested that the Eleventh District vacate under Civ.R. 60(B) its January 12, 2026 judgment entry denying the board's motion for a sanctions hearing and grant the board leave to file its third revised motion for sanctions.

**{¶ 15}** On February 23, 2026, the Eleventh District denied the board's January 22 third revised motion for sanctions, to vacate, and for leave to file a revised motion as well as the board's December 20, 2025 motion for sanctions. The court rejected the board's argument that the "demand[s]" for sanctions made in paragraphs 60 through 63 of the board's answer constituted a motion on which the

3. Any party adversely affected by frivolous conduct may move for sanctions under R.C. 2323.51 "not more than thirty days after the entry of final judgment." R.C. 2323.51(B)(1).

court had failed to rule, allegedly rendering the November 17, 2025 and January 12, 2026 judgments not final, appealable orders. The Eleventh District pointed out that its judgment of dismissal was a final, appealable order under this court's caselaw because it had determined the action and prevented a judgment in Ames's favor. Because the 30-day time limit for filing a motion for sanctions under R.C. 2323.51 expired on December 17, 2025, the Eleventh District found that the only motion for sanctions properly before it was the November 17 motion for a sanctions hearing, which the court had denied on January 12, 2026. The court thus denied as untimely the board's December 20, 2025 motion for sanctions and its January 22, 2026 third revised motion for sanctions. The court denied the board's alternative Civ.R. 60(B) request to vacate because the board had not demonstrated that it was entitled to relief from judgment. And the court denied the board's request for leave to file a revised motion for sanctions because the court had denied the request to vacate and the 30-day period for filing a motion for sanctions had expired.

### C. The Present Appeal

**{¶ 16}** The board has appealed the January 12, 2026 and February 23, 2026 judgments of the Eleventh District denying its various postjudgment motions for sanctions against Ames.[4] During the pendency of the appeal, the parties also filed a glut of motions, of which 18 are pending.

## II. ANALYSIS

### A. The Eleventh District Correctly Denied the Board's Postjudgment Motions for Sanctions

**{¶ 17}** In its merit brief, the board's sole "assignment of error" is that "[t]he Eleventh District erred in denying the motions for sanctions (Dkt. 26; Dkt. 73; Dkt. 91; Dkt. 107) and refusing to rule on the merits of the same." Thus, the dispositive

4. Although the board also appealed from the January 16, 2026 judgment instructing the clerk of courts to strike from the board's November 17, 2025 motion for a sanctions hearing its request for sanctions in a separate case, the board does not actually challenge that judgment in its briefing.

issue in this appeal is whether the Eleventh District correctly denied the board's postjudgment motions for sanctions. Although the brief also identifies eight "[i]ssue[s] [p]resented for [r]eview," those issues merely set forth arguments offered to support the board's primary contention that the Eleventh District erred in denying its postjudgment motions for sanctions.

***1. Averments requesting sanctions in the board's answer (Docket No. 26)***

**{¶ 18}** The first "motion for sanctions" that the board identifies in its assignment of error is "Dkt. 26"—that is, its answer to Ames's mandamus petition. The board thus contends that the Eleventh District erred in refusing to rule on the merits of this purported motion. Underlying this contention is the board's characterization of the averments included in paragraphs 60 through 63 of its answer—that the Eleventh District should "sua sponte" find that Ames engaged in frivolous conduct and conduct a sanctions hearing—as constituting a discrete motion for sanctions.

**{¶ 19}** This characterization is false. Under Ohio law, a motion for sanctions may not properly be included in an answer, because it is not a pleading—it is a motion governed by separate procedural rules and must be submitted in compliance with Civ.R. 7(B). *See S & S Computer Systems, Inc. v. Peng*, 2002-Ohio-2905, ¶ 10, fn. 1 (9th Dist.) (determining that motion for sanctions was not a "claim for relief in [a] pleading" as defined by Civ.R. 7(A) but, rather, a motion subject to the requirements of Civ.R. 7(B)); *Haney v. Trout*, 2002-Ohio-564, 2002 WL 205997, *6 (10th Dist.) (rejecting argument that a motion for sanctions is a pleading). Pleadings and motions are distinct filings under the Civil Rules. Under Civ.R. 7(A), only the following are considered pleadings: a complaint, an answer, a reply to a counterclaim, an answer to a cross-claim, a third-party complaint, and a third-party answer; a motion for sanctions does not fall within any of these categories. Civ.R. 7(B) separately governs motions, providing that "[a]n application to the court for an order shall be by motion." Both Civ.R. 11 and R.C.

2323.51 specifically identify requests for relief for a violation of those authorities as motions. *See* Civ.R. 11 ("For a willful violation of this rule, an attorney or *pro se* party, **upon motion of a party** . . . , may be subjected to appropriate action . . . ." [boldface added]); R.C. 2323.51(B)(1) ("any party adversely affected by frivolous conduct *may file a motion* for an award of court costs, reasonable attorney's fees, and other reasonable expenses incurred" [emphasis added]). Because a motion for sanctions is procedurally a motion and not a pleading, embedding a request for sanctions within an answer does not satisfy the requirements for making such a motion.

**{¶ 20}** Moreover, a statement in an answer "averring" that a court "should sua sponte find" something does not "set forth the relief or order sought," as required for a motion under Civ.R. 7(B). "Aver" means "[t]o assert positively, esp. in a pleading; to allege," and "sua sponte" means "[w]ithout prompting or suggestion; on its own motion." *Black's Law Dictionary* (12th Ed. 2024). To allege in a pleading that a court "sua sponte" do something is a contradiction—by its nature, such an averment is not a motion, because a motion specifically asks a court to provide "the relief or order sought" by the movant, Civ.R. 7(B), which is necessarily not "[w]ithout prompting or suggestion."

**{¶ 21}** In its February 23, 2026 judgment entry denying the board's December 20, 2025 and January 22, 2026 postjudgment motions for sanctions, the Eleventh District rejected the board's characterization of paragraph Nos. 60 through 63 of its answer as a motion for sanctions: "We do not construe the board's three [sic] paragraph request that the court 'sua sponte' award sanctions to be a motion for sanctions properly before the court." No. 2025-G-0016, 5 (11th Dist. Feb. 23, 2026). The board does not specifically challenge this conclusion on appeal. Nevertheless, with respect to the board's argument that the Eleventh District erred in refusing to rule on the "motion for sanctions" purportedly

contained in its answer, we conclude that the Eleventh District properly declined to construe paragraphs 60 through 63 of the board's answer as such a motion.

**{¶ 22}** On appeal, the board characterizes the averments in its answer as counterclaims, arguing that a motion for sanctions may be made by counterclaim. Part of the board's convoluted argument for reversal—distinct from its characterization of the averments as a motion for sanctions—is that the board asserted "demands" for sanctions against Ames in its answer, that those demands constituted defenses, and that the Eleventh District erred in failing to treat the defenses pleaded in the board's answer as counterclaims under Civ.R. 8(F). However, the board raises for the first time on appeal the argument that those purported "defenses" should be treated as counterclaims. Before the Eleventh District, the board argued only that the averments in paragraphs 60 through 63 of its answer constituted a motion for sanctions—not counterclaims. A party that fails to raise an argument in the court below waives the right to raise the argument on appeal. *Niskanen v. Giant Eagle, Inc.*, 2009-Ohio-3626, ¶ 34.

**{¶ 23}** Accordingly, we conclude that the Eleventh District did not err in refusing to rule on the motion for sanctions that the board purportedly included in its answer to Ames's mandamus petition.

***2. Motion "for a sanctions hearing" (Nov. 17, 2025)***

**{¶ 24}** The board filed a motion "for a sanctions hearing" on November 17, 2025, alleging that Ames had violated R.C. 2323.51, R.C. 149.43(C)(6), and Civ.R. 11 and requesting an evidentiary hearing on whether Ames's conduct was frivolous and whether the board was adversely affected. Despite its name, the motion also requested that the court find Ames's conduct in the case to be frivolous, find that the board was adversely affected, and award attorney fees, court costs, and expenses. The Eleventh District denied the motion in its January 12, 2026 judgment entry. On appeal, the board argues variously that the Eleventh District erred in

denying the motion, failing "to rule upon the merits" of the motion, and failing to hold a hearing before denying the motion.

**{¶ 25}** R.C. 149.43(C)(6) authorizes an award of sanctions in a public-records mandamus action if the court does not issue a writ of mandamus and "determines at that time that the bringing of the mandamus action was frivolous conduct" as defined in R.C. 2323.51(A). R.C. 2323.51 also authorizes sanctions for frivolous conduct. *State ex rel. Bell v. Madison Cty. Bd. of Commrs.*, 2014-Ohio-1564, ¶ 12. The statute's definition of "frivolous conduct" includes conduct by a party to a civil action that satisfies any of the following conditions:

> (i) It obviously serves merely to harass or maliciously injure another party to the civil action or appeal or is for another improper purpose, including, but not limited to, causing unnecessary delay or a needless increase in the cost of litigation.
>
> (ii) It is not warranted under existing law, cannot be supported by a good faith argument for an extension, modification, or reversal of existing law, or cannot be supported by a good faith argument for the establishment of new law.
>
> (iii) The conduct consists of allegations or other factual contentions that have no evidentiary support or, if specifically so identified, are not likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.
>
> (iv) The conduct consists of denials or factual contentions that are not warranted by the evidence or, if specifically so identified, are not reasonably based on a lack of information or belief.

R.C. 2323.51(A)(2)(a). In addition, under Civ.R. 11, a court may impose sanctions when the attorney or pro se litigant acts willfully and in bad faith by filing a pleading that he or she believes lacks good grounds or is filed merely for the purpose of delay. *State ex rel. Bardwell v. Cuyahoga Cty. Bd. of Commrs.*, 2010-Ohio-5073, ¶ 8.

**{¶ 26}** On appeal, this court will not reverse a lower court's decision on whether to award sanctions for frivolous conduct under R.C. 2323.51 absent a showing of an abuse of discretion. *Bell* at ¶ 10. The same standard applies to a lower court's decision on a Civ.R. 11 motion for sanctions. *State ex rel. Dreamer v. Mason*, 2007-Ohio-4789, ¶ 18. An abuse of discretion occurs when a decision is unreasonable, arbitrary, or unconscionable. *Bell* at ¶ 10; *Dreamer* at ¶ 18.

**{¶ 27}** Here, the board has not shown that the Eleventh District acted in an unreasonable, arbitrary, or unconscionable manner in denying the board's November 17, 2025 motion. The court denied the motion because the board had "provide[d] no facts other than the mere existence of the petition to support its assertions" and "se[t] forth no facts demonstrating how it ha[d] been harassed or maliciously injured." No. 2025-G-0016, at 3, 4 (11th Dist. Jan. 12, 2026). In the underlying action, Ames sought unredacted copies of a record that had been produced to him by the board in response to his public-records request. The board's motion consists of boilerplate allegations that Ames's "past, current, and threatened conduct" is unsupported by good grounds, interposed for delay, and not warranted under existing law or the evidence in the case. Thus, the board does not specifically argue—nor does it provide any evidence or cite to any authority showing—how Ames's request for a writ of mandamus ordering the board to produce unredacted copies of a public record amounts to frivolous conduct under R.C. 2323.51. Likewise, the board does not cite evidence of any willful violation by Ames in filing his mandamus action, as required under Civ.R. 11. *See Bardwell* at ¶ 8 (under Civ.R. 11, a subjective bad-faith standard is employed such that any violation must

be willful for sanctions to be warranted). Accordingly, the Eleventh District did not abuse its discretion in concluding that the board's November 17 motion "provide[d] no basis for the imposition of sanctions."

**{¶ 28}** On appeal, the board also claims that in denying the November 17 motion, the Eleventh District "refused to rule upon the merits" of the motion. This claim is incorrect. The motion was unsupported by specific facts, evidence, authority, or argument. As explained above, the Eleventh District concluded that the motion "provide[d] no basis for the imposition of sanctions," because the board had not included in the motion any specific factual allegations of Ames's frivolous conduct or its own injury. Thus, the court ruled on the merits of the motion by concluding that the board had failed to show its entitlement to the relief requested in the motion. To the extent that the board contends that the Eleventh District was required to determine whether Ames engaged in frivolous conduct despite the absence of argument or specific factual allegations in the motion, a court is not required to formulate legal arguments on behalf of a movant or develop evidence that the movant did not submit. *See State ex rel. McKenney v. Jones*, 2022-Ohio-583, ¶ 28.

**{¶ 29}** The board also argues on appeal that the Eleventh District was required to hold a hearing under R.C. 2323.51 before denying its November 17 motion. This argument lacks merit as well. R.C. 2323.51 requires that a court conduct a hearing only if it ultimately makes an award under the statute. *See* R.C. 2323.51(B)(2) (providing that a court may make an award under R.C. 2323.51(B)(1) only after notice and a hearing, at which parties may present evidence); *see also State ex rel. Davis v. Metzger*, 2014-Ohio-2329, ¶ 16 (holding in mandamus appeal that court of appeals was required to conduct a hearing before determining that the relator had engaged in frivolous conduct).

**{¶ 30}** Despite the language of R.C. 2323.51(B), the board cites a 2002 decision in which the Eleventh District held that a trial court must conduct a hearing

before ruling on a motion for sanctions. However, this proposition is inconsistent with the plain language of R.C. 2323.51(B)(2), which requires only that a trial court hold a hearing before granting a motion for sanctions and determining what amount to award. Moreover, in more recent cases, the Eleventh District rejected the board's proposed interpretation of the statute. *See Curtis v. Hard Knox Energy, Inc.*, 2005-Ohio-6421, ¶ 22 (11th Dist.), quoting *State Farm Ins. Cos. v. Peda*, 2005-Ohio-3405, ¶ 31 (11th Dist.) ("In [the Eleventh D]istrict, the rule is stated that 'the trial court is not required to hold a hearing upon every application for attorney fees which is disallowed.' "). In *Curtis*, the Eleventh District rejected the argument that a court must hold a hearing on every sanctions motion, even one that makes a prima facie case, reasoning:

> To hold that a trial court must conduct a hearing on every motion that makes a prima facie case for sanctions is not warranted by the statute or our own precedents. Such a rule would also compromise the trial court's discretion whether to award sanctions or not, which discretion the trial court may decline to exercise even where frivolous conduct is established.

*Id.* at ¶ 24. We agree. Some appellate districts have held that although a hearing on a motion for sanctions is not expressly required by R.C. 2323.51, a trial court must schedule a hearing when the motion demonstrates "arguable merit." *See, e.g.*, *Russell v. Ryan*, 2021-Ohio-2505, ¶ 15 (10th Dist.). Yet, even in that situation, "'where a trial court determines there is no basis for the imposition of sanctions, the trial court has discretion to deny the motion for sanctions without a hearing.'" *Id.* at ¶ 18, quoting *Middle W. Spirits, L.L.C. v. Gemini Vodka, Ltd.*, 2021-Ohio-1503, ¶ 16 (10th Dist.). Here, the Eleventh District expressly ruled that the board's November 17 motion "provide[d] no basis for the imposition of sanctions and

therefore, must be DENIED." (Capitalization in original.) No. 2025-G-0016 at 4 (11th Dist. Jan. 12, 2026). The court did not err in declining to hold an evidentiary hearing before denying the board's motion.

**{¶ 31}** Accordingly, we conclude that the Eleventh District did not err in denying the board's November 17, 2025 "motion for a sanctions hearing."

***3. Motion for sanctions (Dec. 20, 2025)***

**{¶ 32}** In its December 20, 2025 response to Ames's December 12 motion for sanctions against Markling, the board included its own motion for sanctions against Ames under R.C. 2323.51 and Civ.R. 11. The Eleventh District did not address the board's motion in its January 12, 2026 judgment entry but considered and denied the motion in its February 23, 2026 judgment entry.[5] The court denied the motion because it was untimely under the 30-day time limit set forth in R.C. 2323.51, as judgment was entered November 17 and the board did not file its motion until December 20.

**{¶ 33}** R.C. 2323.51 sets a 30-day time period, beginning on the date of final judgment, in which a party may move for sanctions. *State ex rel. DiFranco v. S. Euclid*, 2015-Ohio-4915, ¶ 10. The board requested sanctions for Ames's filing of his own motion for sanctions on December 12, and asked the Eleventh District to "add this most recent frivolous conduct by Ames to the Board's pending [November 17] request for sanctions." Because the 30-day deadline for seeking sanctions under R.C. 2323.51 expired on December 17, the board's motion—to the extent that it requested relief under R.C. 2323.51—was untimely.

**{¶ 34}** A motion for Civ.R. 11 sanctions is not constrained by the same deadline. On appeal, the board argues that its request for sanctions under Civ.R. 11

5. The board captioned its December 20, 2025 response to Ames's motion for sanctions as "response to the motion for sanctions and motion for sanctions." Given the ambiguity of the caption and the number of motions for sanctions filed in this case by both parties, it was understandably docketed as a "response to the motions for sanctions."

was timely because such a motion may be filed within a reasonable time after judgment. We have noted that "[a]lthough Civ.R. 11 does not articulate a time limit for filing a sanctions motion, [appellate] courts have held that a Civ.R. 11 motion must be filed within a reasonable time after the final judgment." *DiFranco* at ¶ 18.

**{¶ 35}** Without determining whether the board's December 20 motion was filed within a reasonable time after judgment, we conclude on other grounds that the board did not err in denying it. Under Civ.R. 11, a court may impose sanctions only when the attorney or pro se litigant has acted willfully and in bad faith by filing a pleading that he or she believed lacks good grounds or was filed merely for the purpose of delay. *Bardwell*, 2010-Ohio-5073, at ¶ 8. A lower court's decision denying a motion for Civ.R. 11 sanctions is reviewed for abuse of discretion, and "[a]s long as some competent, credible evidence exists to support the court of appeals' judgment, no abuse of discretion occurred, and we cannot substitute our judgment for that of the court of appeals and reverse the judgment." *Id.* at ¶ 9.

**{¶ 36}** In its December 20 motion for sanctions, the board argued that Ames should have filed a Civ.R. 60(B) motion or argued on appeal that the board misled the Eleventh District (regarding the date of service of Ames's underlying mandamus petition) rather than file a motion for sanctions. But the board did not show or even argue that Ames believed that his motion lacked good grounds, that it was filed merely for the purpose of delay, or that he acted willfully or in bad faith by filing it; rather, the board merely repeated the definition of "frivolous conduct" set forth in R.C. 2323.51. Regardless, the record does not establish that Ames's filing of his motion for sanctions against Markling constitutes sanctionable conduct under Civ.R. 11; Ames merely disagreed with Markling regarding the date of service of his mandamus petition. For this reason, to the extent that the board requested relief under that rule in its December 20, 2025 motion for sanctions, the Eleventh District did not abuse its discretion in denying it.

### *4. Third revised motion for sanctions, to vacate, and for leave to file a revised motion for sanctions (Jan. 22, 2026)*

**{¶ 37}** As noted immediately above, a motion for sanctions under R.C. 2323.51 must be brought within 30 days of the final judgment. *DiFranco*, 2015-Ohio-4915, at ¶ 10. The Eleventh District dismissed Ames's mandamus action on November 17, 2025. Thus, the board's third revised motion for sanctions, filed January 22, 2026, was manifestly filed too late. To sidestep this hindrance, the board contended in its third revised motion for sanctions that the motion was timely because the November 17, 2025 judgment was not a final, appealable order, in that the board had demanded sanctions in its answer to Ames's mandamus petition and the judgment did not dispose of those "demands." The Eleventh District rejected that contention. The board reiterates the contention on appeal, further arguing that an order is not a final judgment under Civ.R. 54(B) unless it states that "there is no just reason for delay."

**{¶ 38}** The board's argument lacks merit. As explained above, the board's "demands" for sanctions in its answer were not motions for sanctions on which the Eleventh District was required to rule. Moreover, Civ.R. 54(B) "requires that a court make an express determination that there is no just reason for delay in order to make appealable an order adjudicating fewer than all the claims or the rights of fewer than all the parties." *State ex rel. Scruggs v. Sadler*, 2002-Ohio-5315, ¶ 6. Thus, the rule applies "when a case involves multiple claims or multiple parties." *Id.* at ¶ 8. Here, Ames's underlying mandamus action involved only one claim for relief, one relator, and one respondent. Therefore, Civ.R. 54(B) does not apply, and the absence of the no-just-reason-for-delay language in the November 17 judgment entry did not render it nonappealable. Accordingly, the Eleventh District correctly denied as untimely the board's third revised motion for sanctions.

**{¶ 39}** In the alternative, in its third revised motion for sanctions, the board requested that the Eleventh District's January 12, 2026 judgment be vacated under

Civ.R. 60(B), which provides for relief "from a final judgment, order or proceeding" for various reasons. Specifically, the board argued that the Eleventh District's January 12 judgment improperly denied the board's November 17, 2025 motion for a sanctions hearing, because that motion had presented "operative facts" showing that sanctions against Ames were warranted. However, as explained above in Part II(A)(2) of this opinion, the board did not establish that Ames engaged in frivolous conduct warranting sanctions under R.C. 2323.51, R.C. 149.43(C)(6), or Civ.R. 11. Thus, the Eleventh District did not abuse its discretion in denying the motion to vacate on the grounds that the board had failed to show that it was entitled to Civ.R. 60(B) relief. Moreover, because the board asserted in its motion to vacate that the Eleventh District improperly denied its motion for a sanctions hearing, it requested the same relief under Civ.R. 60(B) that it could have sought on appeal and that it seeks (in several ways and multiple times) in this appeal. A Civ.R. 60(B) motion for relief from judgment cannot be used as a substitute for an appeal. *Bank of Am., N.A. v. Kuchta*, 2014-Ohio-4275, ¶ 16.

**{¶ 40}** Accordingly, we conclude that the Eleventh District did not err in denying the board's January 22, 2026 third revised motion for sanctions, to vacate, and for leave to file a revised motion for sanctions.

### B. Motions

**{¶ 41}** We now address the 18 motions currently pending and consider them in order of filing.

#### *1. The board's motion to consolidate case Nos. 2026-0211 and 2025-1511 (Mar. 9, 2026)*

**{¶ 42}** On March 9, 2026, the board moved to consolidate the present appeal with *Ames I*, 2026-Ohio-4076, Ames's appeal from the Eleventh District's dismissal of his mandamus action. The same motion was filed on the same day in *Ames I* and denied for the reasons set forth in paragraphs 76 and 77 of that opinion.

Because *Ames I* is no longer pending, we deny as moot the board's motion to consolidate the cases.

***2. The board's motion for oral argument (Mar. 9, 2026)***

**{¶ 43}** On March 9, 2026, the board also filed a motion asking this court to schedule the present appeal for oral argument under S.Ct.Prac.R. 17.02(B). In direct appeals of right, we generally grant oral argument only when a case deals with matters of great public importance, complex issues of law or fact, substantial constitutional issues, or a conflict among the district courts of appeals. *State ex rel. Ruble v. Switzerland of Ohio Local School Dist. Bd. of Edn.*, 2025-Ohio-1510, ¶ 10.

**{¶ 44}** Here, the board argues that this case "deals with matters of great public importance" but does not explain what those important matters are. Regardless, the parties' briefs are sufficient for us to resolve the issues raised without oral argument. *See id.*, citing *State ex rel. Davis v. Pub. Emps. Retirement Bd.*, 2006-Ohio-5339, ¶ 16. We therefore deny the board's motion for oral argument.

***3. Ames's motion to limit further filings (Mar. 9, 2026)***

**{¶ 45}** In his response in opposition to the board's March 9, 2026 motion to consolidate, Ames asks that we "limit any further filing of motions" in this case while the appeal is pending. Ames points to the board's "barrage of filings" in the underlying mandamus action and the order of the Eleventh District that "**ANY FURTHER PLEADINGS FILED WITHOUT LEAVE OF COURT WILL BE SUA SPONTE STRICKEN FROM THE RECORD**." (Capitalization and boldface in original.) No. 2025-G-0016 at 6 (11th Dist. Feb. 23, 2026).

**{¶ 46}** Ames cites no authority in support of his request to limit further filings. Moreover, at the time the request was made, the board had filed only two motions, both of which were permissible under our Rules of Practice. We therefore deny Ames's motion to limit further filings. Nevertheless, as in *Ames I*, we caution

both parties that future abuses, including the filing of unnecessary and groundless motions, may lead to sanctions in future cases. *See* 2026-Ohio-4076 at ¶ 109.

***4. The board's motion for sanctions, to strike, and for a show-cause hearing (Mar. 10, 2026)***

**{¶ 47}** In his response in opposition to the board's March 9, 2026 motion to consolidate, Ames included a footnote alleging a burden on local taxpayers based on the attorney fees that the board's counsel charged in representing the board in another case. In response, the board filed a motion to strike the footnote, for sanctions against Ames, and for a show-cause hearing regarding his allegedly frivolous and vexatious conduct. The board asserts that Ames should be sanctioned under Civ.R. 11, S.Ct.Prac.R. 4.03(A), and R.C. 2323.51 for making this "sham statement."

**{¶ 48}** Civ.R. 11 requires each document filed in a court to be supported by good grounds and not interposed for delay. Even assuming that Civ.R. 11 applies in an appeal filed in this court, the board does not explain how a memorandum filed in opposition to one of the board's own motions could lack good grounds and be interposed for delay simply because it contains an allegedly false statement. The same is true of the board's request for sanctions under S.Ct.Prac.R. 4.03(A) and R.C. 2323.51. Even if the challenged statement is false, the board does not show how the filing of the memorandum itself warrants sanctions. In fact, Ames's response in opposition sets forth legitimate reasons for denying the board's motion to consolidate.

**{¶ 49}** In addition, the board asks us to strike the allegedly sham statement because it was filed for the improper purpose of defaming the board's counsel. The board also contends that we should hold a show-cause hearing "as to why Ames should not be sanctioned and/or held in contempt of court for repeated frivolous and vexatious conduct." However, the board does not cite any authority or set forth

any substantive argument requiring us to either strike the allegedly false statement or hold a show-cause hearing.

**{¶ 50}** Accordingly, we deny the board's March 10, 2026 motion for sanctions, to strike, and for a show-cause hearing.

### *5. The board's second revised motion to strike all documents filed by Ames (Mar. 23, 2026)*

**{¶ 51}** On March 20, 2026, the board filed both a motion to strike all documents filed by Ames and a revised version of the same motion. On March 23, the board filed a second revised motion, explicitly superseding the previous two. The board argues that we must strike from the record all documents filed by Ames in the present appeal because he "is a non-attorney who is filing documents in the instant appeal on behalf of the State of Ohio in violation of R.C. 4705.01 and applicable laws." According to the board, Ames engaged in the unauthorized practice of law by commencing an original action in mandamus before the Eleventh District "on behalf of the State of Ohio" and he continues to do so by filing documents in the present appeal. On this basis, the board contends that the Eleventh District should have sua sponte dismissed Ames's mandamus claim for lack of jurisdiction.

**{¶ 52}** The board's argument that Ames—the appellee—should be prohibited from filing any documents in an appeal brought by the board is nonsensical, as is its argument that Ames engaged in the unauthorized practice of law by commencing a public-records mandamus action. First, under S.Ct.Prac.R. 16.03(A)(2) Ames was required to file a merit brief in this appeal, and S.Ct.Prac.R. 4.01 permits him to file a motion or response to a motion in this court. Second, a mandamus action *must* be brought "in the name of the state on the relation of the person applying." R.C. 2731.04; *see also* Civ.R. 17(A) ("When a statute of this state so provides, an action for the use or benefit of another shall be brought in the name of this state."). Indeed, a failure to do so is grounds for dismissal. *See, e.g.*,

*Litigaide, Inc. v. Lakewood Police Dept. Custodian of Records*, 1996-Ohio-205, ¶ 2. When a pro se relator brings a mandamus action in the name of the State or appeals the dismissal of such action, that person does not engage in the unauthorized practice of law.

**{¶ 53}** R.C. 4705.01 prohibits a person from commencing, conducting, or defending against "any action or proceeding in which the person is not a party concerned" unless the person has been admitted to the bar. Here, Ames is "a party concerned" because he submitted the public-records request giving rise to the duties with which the board allegedly failed to comply. *See* R.C. 149.43(C)(1)(b) ("the person allegedly aggrieved may . . . [c]ommence a mandamus action to obtain a judgment that orders the public office . . . to comply with [R.C. 149.43(B)] . . . in the court of appeals"). A person who commences a public-records mandamus action in the name of the State of Ohio on his own relation, *see* R.C. 2731.04, does not engage in the unauthorized practice of law under R.C. 4705.01.

**{¶ 54}** Accordingly, we deny the board's March 23 second revised motion to strike all documents filed by Ames.

***6. Ames's motion to dismiss the appeal (Mar. 31, 2026)***

**{¶ 55}** On March 31, 2026, Ames filed a motion to dismiss this appeal. He argues that the appeal was brought in bad faith because, if the Eleventh District lacked jurisdiction (due to Ames's purported unauthorized practice of law) as the board now claims, the board's proper remedy was a writ of prohibition, not an appeal. In addition, Ames asserts that the board's argument that he engaged in the unauthorized practice of law is frivolous and that Markling, the board's counsel, violated Civ.R. 11 because he knew this argument to be meritless. Ames attaches to his motion over 200 pages of documents, including a disciplinary grievance Markling filed against Ames, numerous motions challenging the court's subject-matter jurisdiction based on Ames's alleged unauthorized practice of law that Markling has filed in other cases involving Ames, an affidavit of disqualification

Markling filed against a judge in another case involving Ames, and various decisions issued by another court in another case involving Ames.

**{¶ 56}** Ames's motion to dismiss the appeal lacks merit. The board, as the respondent in the underlying mandamus action filed in the Eleventh District, is permitted under S.Ct.Prac.R. 5.01(A)(3) to pursue an appeal of right to this court. The board's own meritless argument that the Eleventh District lacked jurisdiction due to Ames's alleged unauthorized practice of law does not render this appeal improper. Moreover, Ames has provided no authority supporting his claim that we should dismiss an appeal on the basis of "bad faith." We therefore deny his motion to dismiss the appeal.

***7. Ames's motion for expedited consideration (Mar. 31, 2026)***

**{¶ 57}** In the same March 31, 2026 filing, Ames requests expedited consideration of his motion to dismiss the appeal. Because he does not explain why we should expedite consideration of the motion to dismiss, we deny the motion for expedited consideration.

***8. The board's motion to strike Ames's motions to dismiss the appeal and for expedited consideration (Mar. 31, 2026)***

**{¶ 58}** On the same day Ames filed his motions to dismiss the appeal and for expedited consideration, the board filed a motion to strike both motions. It asserts that Ames's two motions are "wholly insufficient, redundant, immaterial, impertinent, and scandalous." The board refers to numerous parts of the motions that purportedly fall within this broad ambit of impermissibility. However, the board does not cite any statute, rule of civil procedure, rule of practice, or decision of this court that requires us to strike the challenged material. We have broad discretion in ruling on a motion to strike, *State ex rel. Morgan v. New Lexington*, 2006-Ohio-6365, ¶ 26, and may disregard irrelevant material without striking it, *see State ex rel. Repeal the Lorain Cty. Permissive Sales Tax Commt. v. Lorain Cty.*

*Bd. of Elections*, 2017-Ohio-7648, ¶ 7-8. Accordingly, we deny the board's motion to strike Ames's motions to dismiss the appeal and for expedited consideration.

***9. The board's revised motion for sanctions and vexatious-litigator declaration for March 31, 2026 filings (Apr. 1, 2026)***

**{¶ 59}** Among the spate of motions it filed on March 31, 2026, the board included a motion for sanctions and to declare Ames to be a vexatious litigator for filing his two March 31 motions—followed by a revised version of its motion the next day. The board asks us to order Ames to pay its attorney fees, costs, and expenses incurred in responding to Ames's March 31 motions and in filing its motion for sanctions. The board also seeks an order declaring Ames a vexatious litigator under S.Ct.Prac.R. 4.03(B).

**{¶ 60}** The board does not describe how Ames's filing of the March 31 motions in particular warrants sanctions or a vexatious-litigator declaration. Although it refers to several other actions and appeals involving Ames that were filed in this court—including *State ex rel. Ames v. Andover Village Council*, 2026-Ohio-4193; *State ex rel. Ames v. Stow-Munroe Falls City School Dist. Bd. of Edn.*, 2026-Ohio-4627); and *Ames I*, 2026-Ohio-4076—the board does not explain how Ames's conduct in those cases constitutes frivolous or otherwise improper conduct warranting sanctions, nor does it set forth any evidence or authority in support of its motion. We therefore deny the board's revised motion for sanctions and to declare Ames to be a vexatious litigator.

***10. Ames's motion to strike the board's merit brief (Apr. 28, 2026)***

**{¶ 61}** On April 28, 2026, the day after the board filed its merit brief, Ames filed a motion to strike it. Ames argues that the board's brief fails to comply with S.Ct.Prac.R. 16.02(B)(4) because it contains "no proposition of law set forth as such." The board labels its contentions on appeal as "assignment[s] of error" and "[i]ssue[s] [p]resented for [r]eview" rather than as propositions of law. Here, Ames does not suggest that the board's use of the labels "assignment of error" and "issue

presented for review" has prejudiced his ability to respond, and it has not, in fact, hindered our ability to decide the case. *See State ex rel. Sultaana v. Mansfield Corr. Inst.*, 2023-Ohio-1177, ¶ 13 (declining to strike brief when its technical shortcomings had not prejudiced opposing party's ability to file responsive brief or hindered our ability to decide the case); *see also State ex rel. Physicians Commt. for Responsible Medicine v. Ohio State Univ. Bd. of Trustees*, 2006-Ohio-903, ¶ 14. We therefore deny Ames's motion to strike the board's merit brief.

***11. Ames's motion to dismiss for want of prosecution (Apr. 28, 2026)***

**{¶ 62}** In his April 28, 2026 filing, Ames included a motion to dismiss for want of prosecution. He argues that the board's appeal must be dismissed for want of prosecution under S.Ct.Prac.R. 16.07(A) because its merit brief did not comply with S.Ct.Prac.R. 16.02(B) and thus is untimely under S.Ct.Prac.R. 16.07(A), which requires an appellant's merit brief to be filed within 40 days from the date the clerk files the record from the court of appeals.

**{¶ 63}** S.Ct.Prac.R. 16.07(A) provides that we may dismiss an appeal if the appellant fails to file a merit brief within the time allowed by S.Ct.Prac.R. 16.02(A). The board timely filed its merit brief on April 27—40 days after the record on appeal was filed. Ames cites no authority to support his contention that an appellant's brief in an appeal of right is untimely if it does not specifically designate a "proposition of law" as referred to in S.Ct.Prac.R. 16.02(B)(4). We therefore deny Ames's motion to dismiss for want of prosecution.

***12. Ames's request for briefing schedule in the alternative (Apr. 28, 2026)***

**{¶ 64}** Ames also included in his April 28, 2026 filing a motion for a briefing schedule in the alternative, requesting that we issue a new briefing schedule if we decline to dismiss the appeal. However, Ames does not suggest that the labels the board used for its contentions on appeal have prejudiced his ability to respond,[6]

6. Ames's merit brief presents no argument in response to the board's contentions on appeal. Ames asserts that because an appellee's brief "shall respond to the propositions of law contained in the

and he has cited no authority requiring us to issue an alternative briefing schedule. We therefore deny Ames's request for a new briefing schedule.

***13. The board's motion for leave to file its revised merit brief (Apr. 28, 2026)***

**{¶ 65}** On April 28, 2026, the board also filed a motion for leave to file a revised merit brief to relabel its "issues presented for review" as "propositions of law." Because the board's use of the former label for its contentions on appeal does not warrant striking the brief or hinder our ability to decide the case, the revision is unnecessary and we deny the motion.

***14. Ames's motion for an order requiring the board's counsel to show cause why he should not be sanctioned for instituting a frivolous appeal (May 1, 2026)***

**{¶ 66}** On May 1, 2026, Ames filed a motion for an order requiring Markling to show cause why he should not be sanctioned under S.Ct.Prac.R. 4.03(A) for instituting a frivolous appeal. Ames argues that the appeal is frivolous because the board's brief does not comply with S.Ct.Prac.R. 16.02(B), Ames has not engaged in the unauthorized practice of law, and the board's various motions to strike his filings are frivolous. Ames relies on *H.R. v. P.J.E.*, 2023-Ohio-4185, in which we sanctioned attorneys for filing a frivolous appeal. In that case, we held that an appeal from an order denying a motion for a continuance in postdivorce proceedings was frivolous because it was neither warranted by existing law nor supported by a good-faith argument for the extension, modification, or reversal of existing law. *Id.* at ¶ 10. But the conduct Ames specifies in his May 1 motion occurred during the appeal, and it thus does not relate to the institution of the appeal

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appellant's brief," S.Ct.Prac.R. 16.03(B)(1), and the board's merit brief contains no propositions of law "set forth as such," he was not required to respond. But S.Ct.Prac.R. 16.03(B)(1) also requires an appellee to "answer the appellant's contentions," which Ames has not done. Nevertheless, even though Ames abandoned his obligation to respond to the board's contentions on appeal, he is not prejudiced by the denial of his motion because we may affirm even without the benefit of his arguments in opposition. *See* S.Ct.Prac.R. 16.07(B) (if an appellee fails to timely file a merit brief, we "may . . . reverse the judgment if the appellant's brief reasonably appears to sustain reversal").

itself. Ames requests a show-cause order regarding sanctions "for instituting a frivolous appeal," not for frivolous filings submitted in the appeal. We deny Ames's motion for a show-cause order.

***15. The board's motion to strike Ames's May 1, 2026 motion (May 4, 2026)***

**{¶ 67}** On May 4, 2026, the board filed a motion to strike Ames's May 1 motion for a show-cause order, arguing that most of Ames's motion and the exhibits attached to it contain "false, insufficient, redundant, immaterial, impertinent, and scandalous allegations" that, even if true, are irrelevant to whether the present appeal is frivolous. However, other than applying these labels, the board has not set forth any argument or cited any authority that would require us to strike the challenged material. We therefore deny the board's motion to strike Ames's May 1 motion.

***16. The board's motion for sanctions and a vexatious-litigator declaration for Ames's May 1, 2026 motion (May 4, 2026)***

**{¶ 68}** Also on May 4, 2026, the board filed a motion for sanctions and to declare Ames to be a vexatious litigator for his May 1 motion for a show-cause order. The board does not explain how the filing of Ames's motion in particular warrants sanctions or a vexatious-litigator declaration, asserting without analysis that Ames's motion is "insufficient, redundant, immaterial, impertinent, and scandalous." Although the board refers to several other actions and appeals involving Ames that were filed in this court, it presents no evidence or authority indicating that he has engaged in frivolous or otherwise improper conduct warranting sanctions in those cases or in the present appeal. We therefore deny the board's May 4 motion for sanctions and a vexatious-litigator declaration.

***17. The board's motion to consolidate case Nos. 2026-0756, 2026-0211, and 2025-1511 (June 17, 2026)***

**{¶ 69}** On June 17, 2026, the board filed a motion to consolidate this case with case No. 2026-0756 and *Ames I*, arguing that all three appellate cases involve

common questions of law and fact and that consolidation will avoid unnecessary cost and delay. Because *Ames I* is no longer pending, the board's motion to consolidate as to that case is moot.

**{¶ 70}** As for case No. 2026-0756, that appeal arose from a different public-records mandamus action brought by Ames in the Eleventh District. In that case, the Eleventh District dismissed Ames's mandamus action against the board for failure to properly serve the pre-suit complaint in compliance with R.C. 149.43(C)(1). *State ex rel. Ames v. W. Geauga Local School Dist. Bd. of Edn.*, 2026-Ohio-2248, ¶ 7 (11th Dist.). In the same decision, the court denied motions for sanctions filed by both Ames and the board while the case was pending but before judgment was entered. *Id.* at ¶ 8-12. The board appealed the Eleventh District's denial of its sanctions motions, and Ames cross-appealed the dismissal of his mandamus action.

**{¶ 71}** Although case No. 2026-0756—like this case—involves one of Ames's many public-records requests, the facts and legal issues are different. The facts are different because case No. 2026-0756 involves a different public-records request, pre-suit complaint, and method of service than this case. The legal issues are different because the board's appeal in case No. 2026-0756 does not involve postjudgment jurisdictional issues, as raised in this case. Moreover, consolidation of these cases would further delay resolution of this case. Accordingly, we deny the board's request to consolidate case No. 2026-0756 and this case.

### *18. Ames's motion to strike the board's second revised motion to strike all documents filed by Ames (Oct. 6, 2026)*

**{¶ 72}** On October 6, 2026, Ames filed a motion to strike the board's March 23, 2026 second revised motion to strike all documents filed by Ames. As explained above in Part II(B)(5) of this opinion, the board argues in that motion that we must strike from the record all documents filed by Ames in the present appeal because he allegedly engaged in the unauthorized practice of law. Ames

contends that we must strike the board's second revised motion as "sham and false" under Civ.R. 11 because there is no good ground to support its claim that he engaged in the unauthorized practice of law.

**{¶ 73}** The present motion is identical to the March 23, 2026 motion to strike filed by Ames in *State ex rel. Ames v. Stow-Munroe Falls Local School Dist. Bd. of Edn.*, 2026-Ohio-4627, and we deny it for the same reason, *see id.* at ¶ 67.

## III. CONCLUSION

**{¶ 74}** For the reasons set forth above, we affirm the January 12, January 16, and February 23, 2026 judgments of the Eleventh District Court of Appeals and we deny every motion pending in this appeal.

Judgment affirmed.

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Brian M. Ames, pro se.

McGown & Markling Co., L.P.A., and Matthew John Markling, for appellee.

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