

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

Sha-Ann Arndts,	:	
	:	
Plaintiff-Appellant,	:	
	:	No. 26AP-165
v.	:	(C.P.C. No. 24CV-9889)
	:	
State Teachers Retirement System,	:	(REGULAR CALENDAR)
of Ohio,	:	
	:	
Defendant-Appellee.	:	
	:	

D E C I S I O N

Rendered on September 30, 2026

On brief: *Sha-Ann Arndts*, pro se. **Argued:** *Sha-Ann Arndts*.

On brief: [*D. Andrew Wilson*], Attorney General, *Henrique A. Geigel*, and *Mary Therese J. Bridge*, for appellee. **Argued:** *Mary Therese J. Bridge*, for appellee.

APPEAL from the Franklin County Court of Common Pleas

LELAND, J.

{¶ 1} Plaintiff-appellant, Sha-Ann Arndts, appeals from a judgment of the Franklin County Court of Common Pleas granting the motion to dismiss filed by defendant-appellee, State Teachers Retirement System of Ohio (“STRS”), and denying appellant’s motion for leave to file an amended complaint.

I. Facts and Procedural History

{¶ 2} On December 26, 2024, appellant, proceeding pro se, filed a complaint against STRS captioned “civil complaint for fraud.” (Compl. at 2.) The complaint alleged that appellant contributed to STRS for more than five years, began receiving disability benefits in 2013 for a disability she characterized as permanent, and that STRS later

requested an attending-physician's report in late 2016. Appellant alleged she was unable to obtain a timely appointment with the physician before STRS suspended her benefits and that, although she submitted the report shortly after the suspension, STRS "refused to reinstate [her] benefits or back pay." (Compl. at 2.)

{¶ 3} The complaint alleged that a local child support agency later initiated court proceedings concerning appellant's child support arrearages and "sought punishment" against her based on an allegedly false statement by STRS that she had not submitted the attending-physician report. (Compl. at 2.) Appellant alleged that, in December 2017, "STRS did admit to the court that [appellant] had actually turned in the attending physician statement," but STRS nevertheless "refused to . . . resume her benefits" and to provide the "back pay owed . . . in accordance [with] ORC 3307." (Compl. at 2.)

{¶ 4} Appellant further alleged that STRS directed her in December 2017 to undergo a medical examination by a physician selected by STRS. According to the complaint, despite appellant's asserted compliance in submitting the attending-physician's report before the end of her one-year suspension date, STRS issued a letter informing her it was going to continue the suspension for not turning in that report, and that she would not receive "back pay and benefits" owed to her "until she went to the medical exam" STRS was now requesting. (Compl. at 3.)

{¶ 5} The complaint alleged that, in a May 2018 letter, STRS informed appellant she would receive retroactive benefits from the date she submitted the attending-physician report "through the end of December 2017." (Compl. at 3.) However, STRS also informed her that ongoing disability benefits would not continue beyond that date, and a new suspension would take effect as of December 2017 "because [she] did not go for" the requested "medical examination" that month. (Compl. at 3.) According to the complaint, the letter further warned appellant "that if [she] did not go for the medical exam by December of 2018 her benefits would be terminated" under R.C. Chapter 3307. (Compl. at 4.)

{¶ 6} Appellant alleged she "did make an appointment to go to the medical exam" in an effort to comply with STRS's directive, but "[t]he doctors that STRS wanted [her] to see for the medical exam would make the appointment with [her] but over three different doctors would not ultimately see [her]." (Compl. at 5.) She also alleged that access to her retirement account had been "completely blocked from her and other courts," and that she

presented state authorities “with proof that STRS was operating fraudulently and not following [R.C. Chapter] 3307.” (Compl. at 5.)

{¶ 7} The complaint sought \$36 million in damages for claimed “physical, mental and emotional injuries” stemming from STRS’s conduct. (Compl. at 6.) Appellant also requested “special damages” for alleged harm to her credit and “defamation of character,” losses related to a contempt-of-court finding she attributed to STRS’s misconduct, and “loss of quality of life.” (Compl. at 7.)

{¶ 8} On January 23, 2025, STRS filed a motion to dismiss pursuant to Civ.R. 12(B)(6), arguing that the substance of appellant’s complaint challenged the suspension and termination of her disability benefits, and that such a challenge must be pursued through an action in mandamus. STRS further asserted appellant previously had filed two actions against it “arising out of the same subject matter and making the same claims”; specifically, an action in the Franklin County Court of Common Pleas that was dismissed on February 9, 2023, and another action in the Ohio Court of Claims that remained pending when STRS filed its motion. (STRS Mot. to Dismiss at 2.)

{¶ 9} On January 28, 2025, appellant filed a memorandum in opposition, asserting that “[t]his case is complex and is not a simple case of termination of benefits and at no time can a court ignore a retirement system of this state who refuses to follow the ORC.” (Memo in Opp. at 1.) Appellant maintained she was “not seeking relief based merely on the results of an action of the board of the retirement system,” but instead was “seeking relief because of the actions of the employees breaking the ORC and Ohio civil and criminal codes.” (Memo in Opp. at 4.)

{¶ 10} On January 31, 2025, STRS filed a reply in support of its motion to dismiss. STRS argued that, notwithstanding appellant’s characterization of her claims, “the true basis of her Complaint is that STRS violated R.C. 3307 in failing to continue her disability benefits.” (Reply at 2.) STRS reiterated its position that appellant’s “only remedy for recourse against STRS is to file a Petition and Complaint in mandamus.” (Reply at 2.)

{¶ 11} On September 29, 2025, appellant filed a motion for leave to file an amended complaint and attached her proposed amended complaint. In support of her motion, appellant asserted the proposed amended complaint addressed conduct beyond the termination of disability benefits and presented claims that could not be fully remedied through an action in mandamus.

{¶ 12} On January 28, 2026, the trial court filed a judgment entry granting STRS's Civ.R. 12(B)(6) motion to dismiss and denying appellant's motion for leave to file an amended complaint. The court concluded that appellant's claims, however characterized, ultimately challenged the termination of STRS disability benefits and therefore had to be pursued in mandamus. The court also determined that amendment would be futile because the proposed amended complaint continued to present "factual and procedural challenges" to STRS's benefits decision and would be subject to dismissal on the same basis as the original complaint. (Jan. 28, 2026 Jgmt. Entry at 3.)

II. Assignments of Error

{¶ 13} Appellant appeals and assigns the following as trial court error:

[I.] TRIAL COURT ERRORED IN FAILING TO GRANT APPELLANT'S AMENDED COMPLAINT.

[II.] THE LOWER COURT ERRORED IN GRANTING THE APPELLEE'S MOTION TO DISMISS ON THE ORIGINAL COMPLAINT BECAUSE THE AMENDED COMPLAINT SHOULD BE THE OPERATIVE PLEADING ACCORDING TO OHIO CIV R 15 AND OHIO SUPREME COURT HAS CLEARLY RULED THAT A LEAVE TO AMEND AND AMENDED COMPLAINT THAT HAS NO OBJECTION IS IMPLIED CONSENT FROM THE OPPOSING PARTY AND NO OBJECTION MEANS THERE IS NO BAD FAITH, NO PREJUDICE OR UNDUE DELAY. THIS MEANS THE LOWER COURT ERRORED IN RULING ON A MOTION TO DISMISS BECAUSE IT IS BASED ON THE NON OPERATIVE PLEADING.

[III.] THE LOWER COURT ERRORED IN DENYING APPELLANT THE RIGHT FOR JUSTICE IN A CIVIL MATTER IN FRANKLIN COUNTY COMMON PLEAS COURT WHERE APPELLEE HAS AGREED TO BE SUED AS A PRIVATE CITIZEN IN ANY COURT IN FRANKLIN COUNTY OHIO FOR ANY MATTERS FOR THE LAW REGARDING STRS EMPLOYEES OR BOARD EMPLOYEES OR STRS.

[IV.] LOWER COURT ERRORED IN GRANTING A MOTION TO DISMISS UNDER CIV R 12 (B)(6) FAILURE TO STATE A CLAIM FOR WHICH NO RELIEF CAN BE SOUGHT AS OHIO IS A NOTICE PLEADING STATE AND SINCE THE JURISDICTION IS CORRECT AND COURT DETERMINED APPELLANT HAS A SET OF FACTS ENTITLING HER TO

RELIEF THE COURT HAD NO LEGAL REASON TO DISMISS BASED ON Civ R 12(B)(6).

[V.] THE LOWER COURT ERRORED IN DENYING THE PARTS OF APPELLANT’S COMPLAINT AND AMENDED COMPLAINT THAT WOULD NOT BE COMPENSATED FULLY IN A WRIT OF MANDAMUS.

(Sic passim.)

III. Discussion

{¶ 14} Appellant’s five assignments of error raise interrelated issues, and we therefore address them together. Appellant contends the trial court erred by (1) denying her leave to file an amended complaint; (2) refusing to treat the proposed amended complaint as the operative pleading; (3) denying her the right to pursue a civil action in common pleas court; (4) dismissing the original complaint under Civ.R. 12(B)(6); and (5) dismissing claims she asserts could not be fully remedied through mandamus.

{¶ 15} Under Ohio law, “[a] motion to dismiss under Civ.R. 12(B)(6) for failure to state a claim on which relief can be granted tests the sufficiency of the complaint.” *Ohio Assn. of Pub. School Emps. v. School Emps. Retirement Sys. of Ohio*, 2020-Ohio-3005, ¶ 11 (10th Dist.), citing *Volbers-Klarich v. Middletown Mgt.*, 2010-Ohio-2057, ¶ 11. Before a court may dismiss an action under Civ.R. 12(B)(6), “it must appear beyond doubt from the complaint that the plaintiff can prove no set of facts entitling him [or her] to recovery.” *Id.*, quoting *O’Brien v. Univ. Community Tenants Union, Inc.*, 42 Ohio St.2d 242 (1975), syllabus. In applying this standard, a court “must presume all factual allegations contained in the complaint are true and draw all reasonable inferences in favor of the non-moving party.” *Id.*, citing *Jones v. Greyhound Lines, Inc.*, 2012-Ohio-4409, ¶ 31 (10th Dist.), citing *Mitchell v. Lawson Milk Co.*, 40 Ohio St.3d 190, 192 (1988). In reviewing a trial court’s judgment rendered on a Civ.R. 12(B)(6) motion to dismiss, this court’s standard of review is “de novo.” *Id.* at ¶ 12, citing *Pankey v. Ohio Dept. of Rehab. & Corr.*, 2014-Ohio-2907, ¶ 7 (10th Dist.).

{¶ 16} Civ.R. 15(A) governs amendments to pleadings, and states in relevant part:

A party may amend its pleading once as a matter of course within twenty-eight days after serving it or, if the pleading is one to which a responsive pleading is required within twenty-eight days after service of a responsive pleading or twenty-

eight days after service of a motion under Civ.R. 12(B), (E), or (F), whichever is earlier. In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave.

{¶ 17} Accordingly, “[f]ollowing the expiration of the applicable 28-day period, a plaintiff must obtain either leave from the trial court or written consent from the opposing party before filing an amending complaint.” *King v. Divoky*, 2021-Ohio-1712, ¶ 39 (9th Dist.), citing *Hunter v. Shield*, 2019-Ohio-1422, ¶ 13 (10th Dist.). This court reviews a trial court's decision on a motion for leave to file an amended pleading “under an abuse of discretion standard.” *Gordon v. Ohio Dept. of Rehab. & Corr.*, 2018-Ohio-2272, ¶ 9 (10th Dist.), citing *Wilmington Steel Prods., Inc. v. Cleveland Elec. Illum. Co.*, 60 Ohio St.3d 120, 122 (1991). Under Civ.R. 15(A), “[a] trial court ‘shall freely give leave [to file an amended complaint] when justice so requires.’” *Barga v. Ohio State Univ.*, 2026-Ohio-3248, ¶ 24 (10th Dist.), quoting Civ.R. 15(A). However, a trial court's “denial of a motion for leave to amend a complaint is appropriate if the amendment would be futile.” *Id.*, citing *Harris v. Cunix*, 2022-Ohio-839, ¶ 8 (10th Dist.); *Kromer v. Arthritis Found., Inc.*, 2025-Ohio-661, ¶ 28 (10th Dist.).

{¶ 18} R.C. Chapter 3307 provides the statutory framework for STRS. The Ohio General Assembly “established the State Teachers Retirement System to pay retirement allowances and other benefits of Ohio public school teachers,” and the retirement board “administers and manages the retirement system.” *State ex rel. Hulls v. State Teachers Retirement Bd.*, 2007-Ohio-2337, ¶ 25, citing R.C. 3307.03 and 3307.04. The determination of whether a member of STRS “is entitled to disability retirement is solely within the province of the retirement board.” *Id.* at ¶ 26, citing R.C. 3307.62(F). Likewise, “the determination of whether a retirement-system member is entitled to the continued receipt of disability-retirement benefits is also within the exclusive authority of the retirement board.” *Id.*, citing R.C. 3307.64.

{¶ 19} However, “[n]either R.C. 3307.62 nor 3307.64 provides for an appeal from the retirement board's decision denying or terminating these benefits.” *Id.* Accordingly, “[b]ecause the final retirement-board decision is not appealable, mandamus is available to correct an abuse of discretion by the board in its determination concerning disability-

retirement benefits.” *Id.* at ¶ 27, citing *State ex rel. Pipoly v. State Teachers Retirement Sys.*, 2002-Ohio-2219, ¶ 14.

{¶ 20} We first address appellant’s contention that the trial court erred by granting STRS’s motion to dismiss the original complaint under Civ.R. 12(B)(6). In her pro se brief, appellant argues the court erred in concluding her claims ultimately challenged STRS’s termination of her disability benefits. Appellant maintains that her complaint encompasses allegations of fraud and other independent claims that “[cannot] all be resolved in a Writ of Mandamus.” (Appellant’s Brief at 56.)

{¶ 21} In considering the allegations in appellant’s complaint, the trial court found, in relevant part:

Here, although Arndts asserts that this matter extends beyond the mere termination of her benefits into allegations of fraud and other violations of Ohio law, it is clear, upon review of the Complaint, that Arndts is ultimately challenging the termination of her benefits and the process by which that termination occurred. Indeed, Arndts alleges that “STRS admitted they owed the plaintiff benefits for back pay from the time she turned the attending physician’s form into them and STRS had been fraudulent in not following the law and paying these benefits and continuing to pay benefits from December 2017 on and they should have been paying the benefits all along.” (Compl. ¶ 2) Arndts’ claimed independent causes of action, and the facts that underlie those claims, are not separate and distinct from the claim that her disability benefits were wrongfully terminated and the facts underlying that claim.

(Jgmt. Entry at 3.)

{¶ 22} Based on our de novo review of the allegations in the complaint, we conclude the trial court properly determined that appellant’s claims, regardless of their label, substantively challenged the suspension and termination of her disability benefits and the procedures STRS employed. The complaint alleged STRS failed to follow R.C. Chapter 3307 when it: (1) suspended appellant’s disability benefits for failure to submit “the attending physician’s report . . . in a timely manner” (Compl. at 2); (2) declined to resume benefits and back pay after appellant “did get the [attending-physician’s] report to STRS shortly after the suspension” (Compl. at 2); (3) required her to submit to an independent medical examination which appellant characterized as “fraud and deliberate breaking of . . .

ORC 3307” (Compl. at 3); and (4) ultimately terminated her disability benefits. Those allegations directly challenge STRS’s statutory administration of appellant’s disability benefits, including requirements and procedures governing continued payment, medical review, suspension, and termination of benefits.

{¶ 23} Appellant nevertheless maintains her complaint alleges fraudulent and deceptive conduct by STRS independent of the benefits determinations, including allegations that STRS employees made false statements in connection with her child-support proceedings. According to appellant, the trial court failed to consider those allegations. We disagree.

{¶ 24} In “determining whether a court has jurisdiction over a claim, we do not look to the label or caption, but rather, to the substance of the complaint.” *Williams v. Stillion*, 2017-Ohio-714, ¶ 19 (7th Dist.), citing *State ex rel. Illuminating Co. v. Cuyahoga Cty. Court of Common Pleas*, 2002-Ohio-5312, ¶ 21. Likewise, this court has recognized that “a court must examine the underlying nature of the claims in the body of the complaint,” rather than the framing of claims, “to determine whether the court has subject-matter jurisdiction over the claims.” *La Riccia v. Ohio Civ. Rights Comm.*, 2025-Ohio-754, ¶ 13 (10th Dist.).

{¶ 25} The trial court in this case appropriately considered the substance of appellant’s allegations rather than merely the labels she assigned to them. Where the factual allegations, as here, reflect that the gravamen of the complaint is that STRS failed to follow the procedures required under R.C. Chapter 3307 in suspending, refusing to resume, and ultimately terminating appellant’s disability benefits, the remedy lies in mandamus notwithstanding tort labels. *See, e.g., State ex rel. Columbia Gas of Ohio, Inc. v. Henson*, 2004-Ohio-3208, ¶ 13, 19 (casting allegations to “sound in tort” insufficient to confer jurisdiction on common pleas court when underlying claim challenges administrative determinations). *See also La Riccia* at ¶ 14 (despite the appellants’ framing of claims as gross negligence, fraud, and civil conspiracy, “it is clear from their complaint” they are challenging administrative agency’s determination); *Shampine v. Ohio Dept. of Job & Family Servs.*, 2011-Ohio-6057, ¶ 19 (10th Dist.) (“although [the] plaintiff asserts her claim is one for damages, she actually seeks review and reversal of the administrative decision to deny her certain unemployment benefits”).

{¶ 26} Regarding false statements purportedly made by STRS employees, appellant alleged STRS falsely represented that she failed or refused to submit an attending-

physician's report and that such misrepresentation affected court proceedings involving child support arrearages. The claimed false statements, as pleaded, are not independent of the benefits dispute, i.e., their alleged falsity turns on whether appellant complied with STRS disability benefit requirements and whether STRS was required to resume, continue, or retroactively pay benefits under R.C. Chapter 3307. Determining whether the alleged statements were false, and whether they caused appellant's claimed injury, would require review and adjudication of the same statutory issues underlying appellant's allegations that STRS improperly suspended and terminated her benefits. Given that those allegations arise from the same core dispute, the trial court did not err in failing to treat appellant's fraud based characterizations as separate and independent claims from those challenging STRS's administration and termination of disability benefits.

{¶ 27} Because appellant's claims, as found by the trial court, ultimately challenge STRS's administrative determination to terminate her benefits "and the process by which that termination occurred," we agree with the court's conclusion that appellant's recourse for such a challenge lies in mandamus.¹ (Jgmt. Entry at 3.) Accordingly, the court did not err in dismissing the original complaint under Civ.R. 12(B)(6) where, as pleaded, it fails to state a claim upon which relief can be granted in this civil action.

{¶ 28} We next address appellant's argument that the trial court erred in denying her motion for leave to amend the complaint. Appellant asserts that the proposed amended complaint "clarifies and separates the fraud of the STRS employees in relation to the child support case." (Appellant's Brief at 22.) Appellant further argues that the court should have granted leave because STRS did not file a response to her motion; she also maintains a trial court "may not rule on a motion to dismiss based on the wrong operative pleading," and that her amended complaint "had to be entered and used as the operative pleading in this case." (Appellant's Brief at 32.)

{¶ 29} In addressing and denying appellant's motion for leave to file an amended complaint, the trial court noted appellant argued "the Amended Complaint makes clear that she is asserting claims beyond the mere termination of her benefits." (Jgmt. Entry at 3.) The court found, however, "[u]pon review of the proposed Amended Complaint . . . the

¹ Although not dispositive, we take judicial notice that appellant, subsequent to her appeal of the trial court's decision in this case, filed a complaint in mandamus against STRS which is currently pending in this court before a magistrate.

Court ultimately believes [appellant's] claims are factual and procedural challenges to STRS' decision to terminate [her] benefits." (Jgmt. Entry at 3.)

{¶ 30} The trial court's determination is supported by the allegations in the proposed amended complaint. In that proposed filing, appellant alleged that STRS employees testified in child support proceedings that she "had not turned in," and had "refused to turn in," her attending physician's report. (Proposed Am. Compl. at 2.) She also alleged that STRS presented false documents and testimony concerning its statutory obligation to resume her benefits and provide retroactive payments, created "false records to terminate [her] benefits," and misstated the requirements of the Ohio Revised Code. (Proposed Am. Compl. at 6-7.) The proposed complaint further alleged STRS "falsified documents regarding the Ohio Revised Code they are to follow and testified falsely through subpoenaed records directly falsifying dates, facts and how ORC is to be followed by STRS board which caused direct harm . . . to [appellant]." (Proposed Am. Compl. at 1.)

{¶ 31} Although appellant characterized this conduct as fraud, the proposed amended complaint continued to connect the alleged wrongdoing to STRS's administration of her disability benefits. The proposed pleading also requested, among other relief, that STRS "voluntarily correct [appellant's] record and reestablish [appellant's] benefits in accordance with the law that governed them." (Proposed Am. Compl. at 11.)

{¶ 32} Appellant's attempt to distinguish damages for alleged STRS employee misconduct from reinstatement of benefits does not cure the defect. As pleaded, the factual narrative and allegations in the proposed amended complaint remain premised on appellant's assertion that STRS wrongfully withheld or terminated benefits and made false statements or records in connection with that disability dispute. Again, determining whether STRS's employees created false documents or made false statements would require resolution of whether appellant timely complied with requirements for continued disability benefits, whether STRS was authorized to request additional medical information or examinations, and whether STRS properly suspended or terminated her benefits.

{¶ 33} On review, we find the trial court did not err in concluding that the substance of appellant's claims in the proposed amended complaint ultimately remained a benefits challenge and thus would have been subject to dismissal on the same basis as the original complaint. In this respect, a trial court "properly denies leave to amend when amendment would be futile." *Kromer*, 2025-Ohio-661, ¶ 28 (10th Dist.). Because the proposed

amended complaint did not present a truly independent claim outside the STRS disability benefits determination, the court did not abuse its discretion in denying appellant's motion for leave to amend the complaint.

{¶ 34} Appellant's contention that the trial court erred in denying leave to amend because STRS did not file a response is not persuasive. Appellant filed her motion for leave on September 29, 2025, more than eight months after STRS filed its motion to dismiss and after the original complaint was filed. In accordance with Civ.R. 15(A), after the applicable period during which appellant could amend as a matter of course had expired, she could amend only with STRS's written consent or leave of court. STRS's silence or failure to oppose the motion did not constitute written consent, nor did the mere filing of a proposed amended complaint, contrary to appellant's contention, make it the operative pleading in the absence of written consent or an order granting leave. Again, because the court reasonably found the proposed amendment futile, it did not err in denying leave to amend.

{¶ 35} Finally, appellant contends the trial court denied her the right to pursue a civil matter in common pleas court, and to pursue claims that could not be fully compensated through mandamus. Such arguments, however, rest on the premise that appellant pleaded claims independent of STRS's disability benefit determination, a premise we have addressed and rejected for the reasons explained above.

{¶ 36} Accordingly, having concluded the trial court did not err in granting STRS's motion to dismiss the complaint under Civ.R. 12(B)(6) and in denying appellant's motion for leave to amend her complaint, we overrule appellant's five assignments of error.

IV. Conclusion

{¶ 37} Based upon the foregoing, appellant's five assignments of error are overruled, and the judgment of the Franklin County Court of Common Pleas is affirmed.

Judgment affirmed.

BEATTY BLUNT and MENTEL, JJ., concur.
