

IN THE COURT OF CLAIMS OF OHIO

BRANDON MICHAEL JONES

Requester

v.

ALLEN COUNTY COMMON PLEAS
COURT

Respondent

Case No. 2023-00351PQ

Judge Lisa L. Sadler

JUDGMENT ENTRY

{¶1} In this public-records case, pursuant to R.C. 2743.75(D)(2), a Special Master has issued a Recommendation To Dismiss. The Special Master recommends dismissal of Requester’s Complaint for failure to state a claim because Requester’s public-records requests were not made to Respondent and, consequently, Requester has not been aggrieved by Respondent’s alleged failure to provide the requested public records. See *State ex rel. Cincinnati Enquirer v. Deters*, 148 Ohio St.3d 595, 2016-Ohio-8195, 71 N.E.3d 1076, ¶ 20 (“[i]t is axiomatic that in order to be a person aggrieved by the failure of a public office to promptly respond to a public-records request, one must first request records from the public office”).

{¶2} Upon independent review, the Court finds the Special Master’s recommendation is well taken. A review of Requester’s Complaint and accompanying attachments discloses that Requester has made public-records requests to persons and entities other than Respondent. Requester therefore is not aggrieved by Respondent’s alleged failure to produce the requested public records. See *Deters, supra*, at ¶ 20.

{¶3} Pursuant to R.C. 2743.75(D)(2), and upon the Special Master's recommendation, the Court sua sponte dismisses Requester's Complaint.¹ Court costs are assessed against Requester. The Clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

LISA L. SADLER
Judge

Filed June 7, 2023
Sent to S.C. Reporter 7/7/23

¹ Under R.C. 2743.75(D)(2), "[n]otwithstanding any provision to the contrary in [R.C. 2743.75], upon the recommendation of the special master, the court of claims on its own motion may dismiss [a] complaint at any time."