

IN THE COURT OF CLAIMS OF OHIO

JOSHUA MORRISON

Requester

v.

MAYOR MATTHEW STARR

Respondent

Case No. 2022-00481PQ

Judge Patrick E. Sheeran

JUDGMENT ENTRY

{¶1} On December 9, 2022, a Special Master issued a Report and Recommendation (R&R) in this public-records case. The Special Master recommends denial of a motion to dismiss filed by Respondent. (R&R, 3.) Upon consideration of the pleadings and attachments, the Special Master also

recommends the court find requester’s claim for production of records moot.

The Special Master further recommends the court find that respondent failed to produce the requested public records within a reasonable period of time. It is recommended requester be entitled to recover from respondent the amount of the filing fee of twenty- five dollars and any other costs associated with the action that were incurred by requester, and that court costs be assessed to respondent.

(R&R, 4-5.)

{¶2} Neither party has timely objected to the Report and Recommendation, as permitted by R.C. 2743.75(F)(2). Pursuant to R.C. 2743.75(F)(2), if neither party timely objects to a special master’s report and recommendation, then this Court is required to “promptly issue a final order adopting the report and recommendation, unless it determines that there is an error of law or other defect evident on the face of the report and recommendation.”

{¶3} Upon review, the Court determines that there is no error of law or other defect evident on the face of the Report and Recommendation. The Court therefore adopts the Report and Recommendation. In accordance with the Special Master's recommendations and findings, the Court denies Respondent's motion to dismiss, finds that Requester's claim for production of records is moot, and finds that Respondent failed to produce requested public records within a reasonable period of time. Because Respondent denied Requester access to public records in violation of R.C. 149.43(B), Requester is entitled to recover from Respondent the amount of the filing fee of twenty-five dollars and any other costs associated with the action that are incurred by Requester, excepting attorney fees. Court costs are assessed to Respondent. The Clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

PATRICK E. SHEERAN
Judge