

IN THE COURT OF CLAIMS OF OHIO

ORVILLE MCEACHRON	Case No. 2026-00056PQ
Requester	Special Master Sarah Pierce
v.	<u>REPORT AND RECOMMENDATION</u>
CITY OF BRECKSVILLE	
Respondent	

{¶1} This matter is before me for a report and recommendation. R.C.2743.75(F). I recommend that the Court (1) enter judgment for respondent, and (2) order requester to bear the costs of this case.

I. Background

{¶2} In November 2024, Requester Orville McEachron was cited for a traffic violation. *Complaint, filed Jan. 16, 2026*, p. 13-14. The case was docketed in the Brecksville Mayor’s Court under case number 24TRD00912. *Id.* On January 8, 2025, the case was transferred to the Garfield Heights Municipal Court and docketed in case number TRD250061. *Compl.*, p. 11-12; *see also Brecksville v. McEachron*, Garfield Heights Mun. Ct. No. TRD2500061, Docket (attached at Appendix A).¹

{¶3} Requester contests the response to two public records requests he made to Respondent the City of Brecksville. *Compl.*, p. 1. These requests generally relate to the

¹ I take judicial notice of the docket in the Garfield Heights traffic case and the filings available on that docket. Courts can take judicial notice of filings readily accessible from a court’s website. *Gold v. Bertram*, 2023-Ohio-4567, ¶ 18 (4th Dist.); *see also* Evid.R. 201. The Garfield Heights traffic case docket is available at:

<https://docket.ghmc.org/recordSearch.php?k=docket1828Z7Qzc8szh8fnUwBUIsutOZnQ92Vpmbxv7ssoVA9M20194715625179443378942383099711128094482018568016835371122009546043576648529426> (last accessed Mar. 9, 2026). The docket is also attached to this report and recommendation at Appendix A, for the reader’s convenience.

Brecksville Mayor's Court traffic case and its transfer to the Garfield Heights Municipal Court. See *Compl.*, p. 2-3, 58-61.

A. The January 2025 public records request (First Request)

{¶4} The first request was made on January 14, 2025, and submitted by fax to the Brecksville Mayor's Court Clerk. *Compl.*, p.1, 34-35. The request was titled a "Request for Complete Case File and Confirmation of Records Transferred to Garfield Heights Municipal Court." *Compl.*, p. 35, 37. It asked for,

1. A copy of the complete case file associated with my case [Brecksville Mayor's Court case no. 24TRD00912], including but not limited to all records, filings, and docket entries held by Brecksville Mayor's Court,.
2. Confirmation of what records were transferred to Garfield Heights Municipal Court as part of the case transfer. This request specifically includes but not limited to all motions and filings, such as the Emergency Combined Motion to Object to Transfer and to Clarify and Correct the Record, filed on January 8, 2025, as well as any other documents relevant to this matter.

Compl., p. 35-36 (emphasis omitted).

{¶5} In the request letter, Requester notes that he "spoke with a Deputy Clerk from the Garfield Heights Clerk of Courts as part of a follow-up regarding access/copies to my case records." *Compl.*, p. 36. That conversation led to "additional concerns about the completeness of the case transfer and the availability of important case materials for my preparation." *Id.* Requester therefore made the request to "ensure access to all relevant records and to preserve procedural fairness." *Id.*, p. 37. He also provided a copy of the request to the "Garfield Heights Clerk of Courts to ensure it is added to the record in Garfield Heights Municipal Court and to document my efforts to address the completeness of the case file." *Id.* He asked for "a prompt response, as access to these records is critical for preparing for my upcoming hearing on January 15, 2025." *Id.* Requester was heard on these issues by a magistrate in the Garfield Heights Municipal Court. *Brecksville v. McEachron*, Garfield Heights Mun. Ct. No. TRD2500061, Decision (Jan. 24, 2025).²

² A copy of this decision is attached to this report and recommendation at Appendix B.

{¶6} Requester alleges that he has received no response or records from the City on this request. *Compl.*, p. 1.

B. The December 2025 public records request (Second Request)

{¶7} The second request was made on December 23, 2025 by email. *Compl.*, p. 1, 8. The request asked for “electronic copies of the following public records from City of Brecksville / Brecksville Mayor’s Court in Case No. 24TRD00912” and listed 20 separate items. *Compl.*, p. 8-9. Requester alleges that he has received no records in response to that request. *Compl.*, p. 1.

{¶8} The City responded to the second request on December 29, 2025. *Compl.*, p. 7. The City notified Requester that any responsive records had already been provided to him, stating

All records held by the Brecksville Mayor’s Court were transferred to the Garfield Heights Municipal Court on January 8, 2025 and were docketed on the Garfield Heights Municipal Court website. Further, the City of Brecksville timely filed its Discovery Response and State’s Motion for Discovery dated January 20, 2025, which was uploaded to the Garfield Heights Municipal Court Case Center portal in which you were given access to review. Redundant requests for records pertaining and resulting from the charge of Failure to Control on or about November 10, 2024 are unnecessary as you have been provided all records via discovery as well as your public access to the Garfield Heights Municipal Court docket.

Compl., p. 9.

C. Procedural history

{¶9} On Requester’s motion, mediation was bypassed in this case. A schedule was set for both parties to file evidence and memoranda supporting their positions. That schedule has run its course, making this case ripe for decision. *Order Bypassing Mediation, entered Jan. 23, 2026.*

II. Analysis

A. Requester is not entitled to relief on his first request.

{¶10} Requester alleges that he has not received a response or records from the City on his first request. *Compl.*, p. 1. In the preliminary complaint sent to the City,

Requester made the same allegation and stated that the request had been pending for over 11 months. *Compl.*, p. 25-28.

{¶11} *Production claim.* The City argues that the first request was handled as a request for discovery under Criminal Rule 16. *Resp. Brief, filed Feb. 18, 2026*, p. 2. In the context of a criminal proceeding, a “public records request is the equivalent of a demand for discovery.” *State ex rel. Caster v. City of Columbus*, 2016-Ohio-8394, ¶ 38.

{¶12} Given the context, the City’s treatment of the first request as a discovery demand was a reasonable response. Requester submitted the request on January 14, 2025. *Compl.*, p. 34. Requester had an ongoing criminal case before the Garfield Heights Municipal Court. See Appendix A. Requester referenced that case in his request and predicated his need for records on the needs of that case. *Compl.*, p. 36-37. Requester was provided access to that discovery via a digital evidence portal on January 21, 2025. See Appendix A. That docket entry is consistent with the discovery response and other email correspondence filed by the City in this public records case. *Resp. Ev.*, p. 3-5; *Resp. Br.*, p. 10.

{¶13} The City filed its discovery response in the Garfield Heights traffic case with this court. See *Resp. Evidence, filed Feb. 4, 2026*, p. 3-92. The discovery response included the original traffic investigation, the transfer entry, internal case notes from the Brecksville Mayor’s Court, case entries from the Garfield Heights Municipal Court, and Requester’s correspondence to both courts. *Resp. Ev.*, p. 3-92. This response encompasses the material required by Criminal Rule 16(B). See *Resp. Ev.*, p. 1-2; 4-29. It also includes material responsive to the first request for “[a] copy of the complete case file associated with my case.” *Compl.*, p. 35; *Resp. Ev.*, p. 32-92 (internal case notes, case entries, and correspondence). From my review of the documents provided to Requester, I conclude that this criminal discovery production includes records responsive to his first request and confirms that the City treated the first request as a criminal discovery demand.

{¶14} Requester is correct that he is not obligated to follow up with the City about a public records request. *Req. Reply, filed Mar. 2, 2026*, p. 4. Having answered the discovery request, however, the City had no further obligation under the Public Records Act to respond to the first request. I also note that the City had no indication that the

request was not satisfied from Requester's perspective. Some cooperation is envisioned by the Public Records Act. *State ex rel. Morgan v. Strickland*, 2009-Ohio-1901, ¶ 18; see also *State ex rel. Fluty v. Raiff*, 2023-Ohio-3285, ¶ 24.

{¶15} *Delay claim.* Requester argues that his first request has been pending, unanswered, since January 14, 2025. *Compl.*, p. 25-28. I disagree. As noted above, I find that the City reasonably treated the request as a criminal discovery demand. That demand was answered on January 21, 2025. See Appendix A. The City was not obligated by the Public Records Act to provide a further response to requester.

{¶16} *Summary.* I recommend that the court find that Requester is not entitled to relief on his first request. The City reasonably treated the request as a criminal discovery demand and answered it accordingly. The City had no further obligation under the Public Records Act to respond to the request.

B. Second request

{¶17} Requester alleges that he has not received records from the City in response to his second request. *Compl.*, p. 1. The second request listed 20 separate items. *Compl.*, p. 8-9. Each request asked for a particular type of document from the Brecksville Mayor's Court traffic case "dated on or before January 7, 2025." *Id.*

{¶18} Requester received a response to this request. On December 29, 2025, the City informed Requester that "[a]ll records held by the Brecksville Mayor's Court were transferred to the Garfield Heights Municipal Court" and docketed on that court's public website. *Compl.*, p. 9. The City also reminded Requester that he received the City's discovery response in that case on January 20, 2025. *Id.* The City concluded by stating that "you have been provided all records via discovery as well as your public access to the Garfield Heights Municipal Court docket." *Id.*

{¶19} *Production.* In general, a public office is not obligated to respond to duplicative public records requests. *State ex rel. Adkins v. Dept. of Rehab. & Correction Legal Dept.*, 2024-Ohio-5154, ¶ 15; see also *State ex rel. Brown v. Village of N. Lewisburg*, 2013-Ohio-3841, ¶ 19-20 (2nd Dist.); *State ex rel. Laborers Internatl. Union of N. Am., Local Union No. 500 v. Summerville*, 2009-Ohio-4090, ¶ 6. The City responded to the second request to state that Requester had already received any responsive records. *Compl.*, p. 9. While the second request did not use phrasing identical to the first

request, the second request sought case documents associated with the Brecksville Mayor's Court traffic case. The City informed Requester that these records had already been provided to him.

{¶20} Requester argues that he is entitled to a further response on his second request. First, Requester argues that he has not received a complete set of responsive records. *Req. Reply*, p. 7-8, 9-10. The City has responded that it has already provided all responsive records to him. Requester does not provide any evidence that further responsive records exist. *See Sell v. Trumbull Cty. Juv. Div.*, 2024-Ohio-6139, ¶ 6 (Ct. of Cl.) (noting "some evidence" of the existence of records may be sufficient). Second, Requester argues that the City was required to respond individually to each of his 20 requests. *Req. Reply*, p. 7. I do not find support for this argument. The response to each of the requests was, essentially, responsive records have already been provided.

{¶21} I recognize that the initial production of responsive records was made as a discovery production under Criminal Rule 16. Even if the City was required to reissue these records in response to the second request, those records have been provided during this litigation. *State ex rel. Striker v. Smith*, 2011-Ohio-2878, ¶¶ 17-18, 22 (public-records claim mooted when records provided during litigation); *Kearns v. Boardman Twp. Police Dept.*, 2025-Ohio-475, ¶ 7 (same), adopted at Ct. of Cl. No. 2024-00776PQ (Mar. 19, 2025). There is no further relief that this court can order. I therefore recommend that the court find that Requester is not entitled to any further production of records in response to his second request.

{¶22} *Delay*. Requester did not raise a delay claim in his complaint. *Hastings v. Washington Court House Bldg./Zoning Dept.*, 2025-Ohio-1292, ¶ 7 (Ct. of Cl.) ("[T]he the only matters properly before the Court or Special Master are those identified in the body of the complaint.").

C. Costs.

{¶23} Revised Code 2743.75(F)(3)(b) provides that the court shall award a requester their filing fee and "any other costs associated with the action" if it finds a

violation of the Public Records Act. Because I do not find a violation, I recommend that the court order the balance of costs assessed against Requester.

III. Conclusion

{¶24} Based on the above considerations, I recommend that the court:

- 1) Enter judgment for respondent; and
- 2) Order requester to bear the costs of this case.

{¶25} *Pursuant to R.C. 2743.75(F)(2), either party may file a written objection with the clerk of the Court of Claims of Ohio within seven (7) business days after receiving this report and recommendation. Any objection shall be specific and state with particularity all grounds for the objection. A party shall not assign as error on appeal the court's adoption of any factual findings or legal conclusions in this report and recommendation unless a timely objection was filed thereto. R.C. 2743.75(G)(1).*

SARAH PIERCE
Special Master

APPENDIX A

Virtual Court (https://virtualcourt.hercules.com) Docket (https://docket.glmcc.org/) Forms (https://glmc.org/forms) E-Payment (https://docket.glmcc.org/payments.php) E-File (https://glmc.org/e-filing)

Search



Docket Entries TRC2500061

- 0104/2025
 - (image attached) 1:03 PM EMAIL CORRESPONDENCE ASSISTANT LAW DIRECTOR LISA SADO
 - (image attached) NOTICE OF RELATED LITIGATION CASE NO. 2024-01179Q OSWILLE
- 0120/2025
 - (image attached) NOTICE OF FILING, MAYOR'S COURT DOCKET
- 0125/2025
 - (image attached) NOTICE OF FILING, THOMSON REUTERS CASE CENTER
- 0128/2025
 - (image attached) NOTICE OF FILING - COURT DOCKET AND CASE INFORMATION
- 0131/2025
 - (image attached) SUPPLEMENTAL NOTICE OF RELATED LITIGATION AGAINST MAYOR MATT
- 0106/2025
 - (image attached) EMAIL CORRESPONDENCE TO MAYOR BURKE AND JUDGE INCASTRO (ADM)
- 0114/2025
 - (image attached) EMAIL CORRESPONDENCE REGARDING AN EVIDENCE FILING CONCERNING
- 0106/2025
 - (image attached) 11:31:25 ADMINISTRATIVE NOTICE TO MAYOR DARYL KINGSTON - REGA
- 1128/2025
 - (image attached) PUBLIC RECORDS REQUEST PURSUANT TO R.C. 149.43 (1)-(14:21) PPE
 - (image attached) (TRC) 11:28:23 PPE THREE DAY NOTICE TO JUDGE INCASTRO - NOV 2
 - (image attached) 11:26:23 PPE THREE DAY NOTICE TO JUDGE INCASTRO - NOV 26 2
- 1135/2025
 - (image attached) THREE DAY NOTICE TO JUDGE INCASTRO - NOV 25, 2025 OHIO COURT
- 1134/2025
 - (image attached) THREE DAY NOTICE TO JUDGE INCASTRO - NOV 24, 2025 OHIO COURT
- 1121/2025
 - (image attached) THREE DAY NOTICE TO JUDGE INCASTRO - NOV 21, 2025 OHIO COURT
- 1128/2025
 - (image attached) PUBLIC RECORDS REQUEST PURSUANT TO OHIO LAW, R.C. 149.43 (1)
 - (image attached) THREE DAY NOTICE TO JUDGE INCASTRO - NOV 25, 2025 OHIO COURT
- 1028/2025
 - (image attached) ADMINISTRATIVE NOTICE AND/AND SECURITY CAMERA FOOTAGE MATTER
 - (image attached) ADMINISTRATIVE NOTICE REGARDING MATERIAL DOCKET DISCREPANCIES, JULY 9, 2025 FILING
- 1027/2025
 - (image attached) ADMINISTRATIVE NOTICE REGARDING UNDOCKETED FILING -ADD
- 1024/2025
 - (image attached) ADDITIONAL MATERIAL DISCREPANCIES IN COURT DOCKET DATA (CAS)
- 1023/2025
 - (image attached) SUPPLEMENTAL ADMINISTRATIVE NOTICE - MATERIAL RECORD INACCUR
 - (image attached) MATERIAL DISCREPANCY IN COURT DOCKET FILING DATES (CASE NO
 - (image attached) ADMINISTRATIVE NOTICE AND/AND MATERIAL DISCREPANCY IN COURT
- 1022/2025
 - (image attached) FINANCIAL RECORD INTEGRITY & MATERIAL RECORD INACCURACIE
- 1021/2025
 - (image attached) MATERIAL RECORD INACCURACIES (BOND RECEIPT NO. 206487 - CAS
 - (image attached) MATERIAL RECORD INACCURACIES (BOND RECEIPT NO. 206487 - CAS
 - (image attached) EMERGENCY MOTION TO VACATE MAY 5, 2025 "ORDER FORFEITM
 - (image attached) MAGISTRATE'S ORDER
 - E-MAILED TO SAROK, LISA
RE: RE: CASE TRC250060 - 191 TRANS NO 20648664
 - E-MAILED TO McCLACHRON, OSWILLE M
RE: RE: CASE TRC250060 - 191 TRANS NO 20648664
- 1009/2025
 - (image attached) 10/9/25 PUBLIC RECORDS REQUEST CORRESPONDENCE
 - (image attached) 9/29/25 PUBLIC RECORDS REQUEST CORRESPONDENCE PDF
- 1001/2025
 - (image attached) NOTICE RE: TRANSCRIPT REQUEST BY DEFENDANT
 - E-MAILED TO SAROK, LISA
RE: CASE TRC250061 - 191 TRANS NO 179118402
NOTICE RE: TRANSCRIPT REQUEST BY DEFENDANT
 - E-MAILED TO McCLACHRON, OSWILLE M
RE: CASE TRC250061 - 191 TRANS NO 179118402
NOTICE RE: TRANSCRIPT REQUEST BY DEFENDANT
- 1001/2025
 - (image attached) ADA TITLE II NOTICE TO MAYOR BURKE - ONGOING NON-COMPLIANCE
- 0929/2025
 - (image attached) ADA TITLE II REQUEST -AUXILIARY AID (COURT TRANSCRIPT)
- 0929/2025
 - (image attached) ADA TITLE II COMPLIANCE ISSUES WITH GARFIELD HEIGHTS MUNICIP
- 0929/2025
 - (image attached) ADA TITLE II REQUEST -AUXILIARY AID (COMPLETE CASE FILE ACC
- 0916/2025
 - (image attached) SEPT 13 - AMENDED MOTION FOR EXPEDITED HEARING, DETERM STA
- 0915/2025
 - (image attached) SEPT 12 - MOTION FOR EXPEDITED HEARING, INTERIM STAY, AND
- 0902/2025

- (image attached) THREE DAY NOTICE TO MAYOR BURKE - NOV 25, 2025 OHIO COURT OF
- 1110/2025
 - (image attached) (11/10/25) NOTICE OF INTENT TO FILE PUBLIC RECORDS COMPLAINT
 - (image attached) PUBLIC RECORDS REQUEST PURSUANT TO OHIO LAW, R.C. 149.43 (1)
- 1110/2025
 - (image attached) NOTICE OF CLARIFICATION REGARDING LEGAL AUTHORITY FOR PPE
 - (image attached) PUBLIC RECORDS REQUEST PURSUANT TO OHIO LAW, R.C. 149.43 (1)
 - (image attached) PUBLIC RECORDS REQUEST PURSUANT TO OHIO LAW, R.C. 149.43 (1)
- 1117/2025
 - (image attached) THREE DAY NOTICE TO MAYOR BURKE - NOV 17, 2025 OHIO COURT OF
 - (image attached) ADMINISTRATIVE NOTICE REGARDING ALTERED NOVEMBER 4, 2025 FTL
 - (image attached) NOTICE REGARDING THE ONGOING ABSENCE OF ON-RECORD DISCLOSURE
- 1110/2025
 - (image attached) EMERGENCY MOTION TO STAY MAGISTRATE'S ORDER, RECALL, VACATE
 - (image attached) EMERGENCY MOTION TO CORRECT NOVEMBER 4, 2025 DOCKET DISCREP
- 1107/2025
 - (image attached) NOTICE OF RELATED LITIGATION AGAINST MAYOR MATTHEW BURKE - O
 - (image attached) ADMINISTRATIVE NOTICE REGARDING COURT DOCKET ALTERATIONS AND
- 1109/2025
 - (image attached) ADMINISTRATIVE NOTICE REGARDING MANUALLY ALTERED FILING DTE
 - (image attached) EMERGENCY MOTION TO CORRECT THE RECORD MATERIAL INACCURACIE
 - (image attached) ADMINISTRATIVE NOTICE - MATERIAL INACCURACY IN COURT DOCKET
- 1104/2025
 - (image attached) NOTICE TO MAYOR BURKE REGARDING PENDING PUBLIC RECORDS REQUEST
 - (image attached) SUPPLEMENT TO MOTION TO SET ASIDE MAGISTRATE'S ORDER OR, IN THE ALTERNATIVE, OBJECTIONS TO MAGISTRATE'S DECISION OF OCTOBER 21, 2025
 - (image attached) NOTICE REGARDING THE ABSENCE ON THE RECORD DISCLOSURES BY JUDGE DEBORAH J. INCASTRO CONCERNING POLITICAL AND FINANCIAL RELATIONSHIPS WITH MAYOR MATTHEW BURKE AS OF NOVEMBER 1, 2025
 - (image attached) ADMINISTRATIVE NOTICE NOTICE OF NON-DOCKETING OF FILINGS TRANSMITTED OCTOBER 31 - NOVEMBER 2, 2025
- 1031/2025
 - (image attached) MOTION TO SET ASIDE MAGISTRATE'S ORDER OR, IN THE ALTERNATIVE, OBJECTIONS TO MAGISTRATE'S DECISION OF OCTOBER 21, 2025
 - (image attached) ADMINISTRATIVE NOTICE REGARDING NON-DOCKETED FILINGS
 - (image attached) EMERGENCY NOTICE REQUESTING JUDGE DEBORAH J. INCASTRO'S DISCLOSURE OF POLITICAL AND FINANCIAL RELATIONSHIPS WITH MAYOR MATTHEW BURKE PURSUANT TO JUDICIAL CONDUCT RULE 1.10C
- (image attached) NOTICE TO MAYOR BURKE REGARDING POLICE CAMERA RECORDS REQUEST
- 1030/2025
 - (image attached) NOTICE TO JUDGE DEBORAH J. INCASTRO IDENTIFYING INFORMATION RELEVANT TO JUDICIAL DISCLOSURE UNDER RULE 1.10C
- 1028/2025
 - (image attached) RE: NOTICE REGARDING EXTERIOR SECURITY CAMERA FOOTAGE
- (image attached) EMERGENCY MOTION TO VACATE FACIALLY VOID MAY 5, 2025 ORDER
- 0919/2025
 - CORRESPONDENCE
- 0714/2025
 - (image attached) JULY 14 EMERGENCY MOTION TO CLARIFY AND CORRECT THE RECORD R
- 0711/2025
 - (image attached) JULY 11 NOTICE OF ONGOING ADA VIOLATIONS AND DEMAND FOR COMP
- 0710/2025
 - EMERGENCY MOTION TO CONTINUE JUNE 11, 2025 HEARING DUE TO MEDICAL EMERGENCY AND REQUEST FOR RELIEF ON PENDING MOTION
 - EMERGENCY SUPPLEMENT TO MAY 5, 2025 EMERGENCY MOTION TO VACATE BENCH WARRANT
 - EMERGENCY MOTION TO VACATE BENCH WARRANT DUE TO DOCUMENTED MEDICAL DECAPITATION
 - EMERGENCY MOTION TO CONTINUE TRIAL AND MOTION FOR REASONABLE MEDICAL ACCOMMODATION
 - EMERGENCY MOTION TO REScind BENCH WARRANT
 - SUPPLEMENT TO DEFENDANT'S MAY 5, 2025 EMERGENCY MOTION TO REScind BENCH WARRANT
 - NOTICE TO CLERK OF COURTS REGARDING TITLE II ADA REQUEST AND REQUEST FOR ESCALATION TO DESIGNATED ADA COORDINATOR
 - NOTICE TO CLERK OF COURTS REGARDING TITLE II ADA REQUEST AND REQUEST FOR ESCALATION TO DESIGNATED ADA COORDINATOR
 - DEFENDANT'S EMERGENCY SUPPLEMENT TO MAY 5, 2025 MOTION FOR CONTINUANCE AND REASONABLE MEDICAL ACCOMMODATION, WITH FIRST-TIME REQUEST TO CONTINUE JULY 10, 2025 HEARING AND MINIMAL ADDITIONAL ADA ACCOMMODATIONS
- 0706/2025
 - SUPPLEMENT TO DEFENDANT'S MAY 1, 2025 EMERGENCY MOTION TO CONTINUE TRIAL AND MOTION FOR REASONABLE MEDICAL ACCOMMODATION
 - EMERGENCY MOTION TO CONTINUE TRIAL AND MOTION FOR REASONABLE MEDICAL ACCOMMODATION
 - EMERGENCY SUPPLEMENT TO MAY 5, 2025 EMERGENCY MOTION TO VACATE BENCH WARRANT
- 0620/2025
 - PAY CONFIRMATION
- 0617/2025
 - LEASING FORFEITURE FEE \$67.50
 - CAPLAS 140.00
 - ARREST WARRANT ISSUED AND BOND AMOUNT SET
- 0616/2025
 - (image attached) ORDER SETTING MATTER FOR MOTION HEARING
 - HEARING - 07/16/2025 AT 2:40 PM - MOTION HEARING
 - E-MAILED TO SAROK, LISA
RE: CASE TRC250061 - 191 TRANS NO 20648664

ORDER SETTING MATTER FOR MOTION HEARING
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: RE: CASE TRD250061 , 179 TRANS NO 250060136
 ORDER SETTING MATTER FOR MOTION HEARING
06/13/2025
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: RE: CASE TRD250061 , 179 TRANS NO 250060136
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: RE: CASE TRD250061 , 179 TRANS NO 250060136
06/12/2025
 - EMERGENCY SUPPLEMENT TO MAY 13, 2025 EMERGENCY MOTION TO
 VACATE BENCH WARRANT
 - (image attached) JUDGMENT ENTRY
 - EMERGENCY MOTION TO CONTINUE JUNE 12, 2025 HEARING DUE TO
 MEDICAL EMERGENCY AND REQUEST FOR RULING ON PENDING MOTION
05/23/2025
 - EXHIBIT
05/08/2025
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: RE: CASE TRD250061 , 169 TRANS NO 250060164
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: RE: CASE TRD250061 , 169 TRANS NO 250060162
05/07/2025
 - NOTICE OF NON-DCKETING AND DEMAND FOR ENTRY OF
 TIMELY FILED FILING
 - EMERGENCY MOTION TO VACATE BENCH WARRANT DUE TO DOCUMENTED
 MEDICAL INCAPACITATION
 - EMERGENCY MOTION TO RECALLED BENCH WARRANT
 - NOTICE OF FILING OF DEFENDANT'S MAY 1, 2025 MOTION TO
 VACATE BENCH WARRANT AND MAY 6, 2025 MOTION TO RECALLED
 BENCH WARRANT
 - (image attached) ORDER SETTING MATTER FOR MOTION HEARING
 - HEARING- 05/13/2025 AT 2:30 PM - MOTION HEARING
 - E-MAILED TO SABOL, LEA
 RE: CASE TRD250061 , 158 TRANS NO 250060181
 ORDER SETTING MATTER FOR MOTION HEARING
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: CASE TRD250061 , 159 TRANS NO 250060181
 ORDER SETTING MATTER FOR MOTION HEARING
 - NOTICE OF FILING OF DEFENDANT'S MAY 1, 2025 MOTION TO
 VACATE BENCH WARRANT AND MAY 6, 2025 MOTION TO RECALLED
 BENCH WARRANT
05/06/2025
 - EMERGENCY MOTION TO COMPEL DCKETING AND SERVICE OF RULING
 ON DEFENDANT'S 05/03/2025 EMERGENCY MOTION TO COMITICE
 TRIAL AND MOTION FOR REASONABLE MEDICAL ACCOMMODATION
 - EMERGENCY MOTION TO RECALLED BENCH WARRANT

- EMERGENCY MOTION TO VACATE BENCH WARRANT DUE TO DOCUMENTED
 MEDICAL INCAPACITATION
04/16/2025
 - EMERGENCY MOTION TO CONTINUE TRIAL AND MOTION FOR
 REASONABLE MEDICAL ACCOMMODATION
 - EMERGENCY MOTION TO DENY FOR LACK OF SUBJECT MATTER
 JURISDICTION
 - (image attached) JUDGMENT ENTRY
 - ORDER FORFEITING BOND AND TO ISSUE OF ARREST WARRANT
 - CORRESPONDENCE
 - WARRANT WAS ISSUED FOR DEFENDANT FOR FAIL TO APPEAR
04/09/2025
 - STATE SUBPOENA ISSUED TO WITNESS
 SERVED & TAKED
 - STATE SUBPOENA ISSUED TO WITNESS
 SERVED & TAKED
 - SUBPOENA FEE \$11.00
 - FAX CONFIRMATION
 - FAX CONFIRMATION
04/03/2025
 - STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
 - STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
04/02/2025
 - EMERGENCY MOTION TO DENY FOR LACK OF SUBJECT MATTER
 JURISDICTION DUE TO ABSENCE OF CERTIFICATION REQUESTED
 BY R.C. 29B.63
 - SUPPLEMENTAL BRIEF IN SUPPORT OF EMERGENCY MOTION TO
 DENY FOR LACK OF SUBJECT MATTER JURISDICTION UNDER
 R.C. 160.60(B)(4)
 - EMERGENCY MOTION TO DENY FOR SPEEDY TRIAL VIOLATION
 (MARCH 16-APRIL 21, 2025) WITH JURISDICTIONAL DEFECT
 - EMERGENCY MOTION TO VACATE MARCH 13, 2025 HEARING AND ORDER
 DUE TO STRUCTURAL JUDGE PRACTICE VIOLATIONS, DENIAL OF
 COUNSEL, AND ONGOING CONSTITUTIONAL PRELUDE
 - EMERGENCY MOTION TO CLARIFY CORRECT AND STERE VOID OR
 AMBIGUOUS PORTIONS OF MARCH 13, 2025 ORDER
 - (image attached) ORDER SETTING BENCH TRIAL
 - HEARING- 05/03/2025 AT 2:00 PM - BENCH TRIAL
 - E-MAILED TO SABOL, LEA
 RE: CASE TRD250061 , 148 TRANS NO 250060208
 ORDER SETTING BENCH TRIAL
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: CASE TRD250061 , 147 TRANS NO 250060208
 ORDER SETTING BENCH TRIAL
04/23/2025
 - RETURN OF STATE SUBPOENA

03/25/2025
 - STATE SUBPOENA ISSUED TO WITNESS
 - STATE SUBPOENA ISSUED TO WITNESS
 - STATE SUBPOENA ISSUED TO WITNESS
 - SUBPOENA FEE \$18.00
 - FAX CONFIRMATION
 - FAX CONFIRMATION
03/14/2025
 - MOTION FOR JUDICIAL NOTICE OF PROCEDURAL FACTS REFLECTED IN
 THE COURT'S JOURNAL AND DOCKET
 - (image attached) JUDGMENT ENTRY
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: RE: CASE TRD250061 , 139 TRANS NO 250060300
03/11/2025
 - EMERGENCY MOTION TO CLARIFY AND CORRECT THE RECORDS DUE
 PROCESS VIOLATIONS AND AMBIGUOUS ORDER
03/09/2025
 - STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
 - STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
 - STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
 - FAX CONFIRMATION
 - FAX CONFIRMATION
03/03/2025
 - EMERGENCY MOTION FOR CONTINUANCE
 - EMERGENCY MOTION FOR CLARIFICATION AND PRESERVATION OF
 OBJECTIONS
 - EMERGENCY MOTION FOR CONTINUANCE
 - (image attached) JUDGMENT ENTRY
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: RE: CASE TRD250061 , 129 TRANS NO 250060318
 - E-MAILED TO SABOL, LEA
 RE: RE: CASE TRD250061 , 129 TRANS NO 250060316
03/02/2025
 - EMERGENCY MOTION FOR CLARIFICATION AND PRESERVATION OF
 OBJECTIONS
03/04/2025
 - FAX CONFIRMATION
03/03/2025
 - STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
 - STATE SUBPOENA ISSUED TO WITNESS
 - SUBPOENA FEE \$8.00
02/28/2025

- EMERGENCY MOTION TO VACATE 2.26.25 HEARING DUE TO
 UNREASONABLE NOTICE AND SUBSTANTIVE DUE TO PROCESS
 VIOLATIONS
 - EMERGENCY MOTION FOR CONTINUANCE
 - (image attached) ORDER SETTING MATTER FOR MOTION HEARING
 - HEARING- 03/13/2025 AT 2:30 PM - MOTION HEARING
 - (image attached) ORDER SETTING BENCH TRIAL
 - HEARING- 03/13/2025 AT 2:00 PM - BENCH TRIAL
 - E-MAILED TO SABOL, LEA
 RE: CASE TRD250061 , 92 TRANS NO 250060361
 ORDER SETTING MATTER FOR MOTION HEARING
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: CASE TRD250061 , 93 TRANS NO 250060361
 ORDER SETTING MATTER FOR MOTION HEARING
 - E-MAILED TO SABOL, LEA
 RE: CASE TRD250061 , 94 TRANS NO 250060368
 ORDER SETTING BENCH TRIAL
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: CASE TRD250061 , 95 TRANS NO 250060368
 ORDER SETTING BENCH TRIAL
 - (image attached) STATEMENT OF RIGHTS AND PLEA FORM
 - (image attached) ORDER SETTING BENCH TRIAL
 - E-MAILED TO SABOL, LEA
 RE: CASE TRD250061 , 89 TRANS NO 250060406
 ORDER SETTING BENCH TRIAL
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: CASE TRD250061 , 89 TRANS NO 250060406
 ORDER SETTING BENCH TRIAL
02/19/2025
 - (image attached) ORDER SETTING MATTER FOR MOTION HEARING
 - HEARING- 02/20/2025 AT 9:30 AM - MOTION HEARING
 - E-MAILED TO SABOL, LEA
 RE: CASE TRD250061 , 80 TRANS NO 250060500
 ORDER SETTING MATTER FOR MOTION HEARING
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: CASE TRD250061 , 81 TRANS NO 250060500
 ORDER SETTING MATTER FOR MOTION HEARING
 - (image attached) ORDER SETTING MATTER FOR MOTION HEARING
 - CHANGED- 02/20/2025 AT 8:40 AM - MOTION HEARING
 - E-MAILED TO SABOL, LEA
 RE: CASE TRD250061 , 84 TRANS NO 250060516
 ORDER SETTING MATTER FOR MOTION HEARING
 - E-MAILED TO McCRACKRON, ORVILLE M
 RE: CASE TRD250061 , 83 TRANS NO 250060516
 ORDER SETTING MATTER FOR MOTION HEARING
02/14/2025

- STATUS NOTICE REGARDING PENDING EMERGENCY MOTION FOR CONTINUANCE
- **01/13/2025**
- EMERGENCY MOTION TO STAY DUE TO PROCEDURAL DEFICIENCIES AND TO CLARIFY PROCEDURAL POSTURE, OBJECT TO PREMATURE COMMENCEMENT OF TRIAL
- EMERGENCY MOTION FOR CONTINUANCE OF TRIAL DATE DUE TO UNRESOLVED DISPOSITIVE MOTIONS AND TO PRESERVE DUE PROCESS RIGHTS
- DEFENDANT'S PRETRIAL OBJECTIONS, NOTICE OF PRESERVATION OF RIGHTS AND MOTION TO DISMISS
- DEFENDANT'S MOTION REQUESTING FINDINGS OF FACT AND CONCLUSIONS OF LAW ON ALL BILLINGS
- REQUEST FOR CLARIFICATION REGARDING TRIAL STATUS AND PENDING MOTION TO STAY AND STATUS OF DISPOSITIVE MOTIONS REQUIRING WRITERS BILLINGS
- EMERGENCY MOTION FOR CONTINUANCE
- SUPPLEMENTAL NOTICE REGARDING EMERGENCY MOTION FOR CONTINUANCE
- NOTICE OF FILING SUPPLEMENTAL SUPPORTING DOCUMENTATION
- **01/13/2025**
- MOTION FOR JUDICIAL NOTICE OF ABSENT COURT ORDERS
- DEFENDANT'S EMERGENCY OBJECTION A MOTION FOR CLARIFICATION
- EMERGENCY MOTION TO VACATE TRIAL DATE AND DISMISS CASE DUE TO UNRESOLVED DISPOSITIVE MOTIONS AND SUBSTANTIAL DUE PROCESS VIOLATIONS
- **01/13/2025**
- DEFENDANT'S MOTION FOR JUDICIAL NOTICE OF ABSENCE OF DOCUMENTATION IN THE COURT RECORD
- DEFENDANT'S MOTION TO DISMISS PURSUANT TO R.C. 2943.76(B) FOR SPEEDY TRIAL VIOLATION DUE TO THE CITY OF BRACKENLILLS FAILURE TO DOCUMENT ANY TOLLING EVENT IN THE OFFICIAL COURT RECORD
- DEFENDANT'S MOTION TO DISMISS PURSUANT TO R.C. 2943.76(B) FOR SPEEDY TRIAL VIOLATION 11/25/24-12/04/24 & 01/13/25-01/22/25
- **01/16/2025**
- DEFENDANT'S MOTION FOR JUDICIAL NOTICE AND CLARIFICATION OF THE RECORD
- DEFENDANT'S MOTION TO COMPEL PRODUCTION OF COMPLETE TRANSFERRED RECORDS
- **01/07/2025**
- STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
- DEFENDANT'S OBJECTION TO THE MAGISTRATE'S JANUARY 24, 2025 DECISION AND REQUEST FOR DE NOVO REVIEW
- STATE SUBPOENA ISSUED TO WITNESS
- SUBPOENA FEE \$4.00
- E-MAILED TO MCLACHERON, ORVILLE M
RE: CASE TRD250064, 23 TRANS NO 250060210
ORDER SETTING BENCH TRIAL
- E-MAILED TO SAROL, LISA
RE: CASE TRD250064, 23 TRANS NO 250060210
ORDER
- E-MAILED TO MCLACHERON, ORVILLE M
RE: CASE TRD250064, 24 TRANS NO 250060210
ORDER
- MOTION TO ADDRESS PROCEDURAL DEFICIENCIES
- *(image attached)* ORDER SETTING MATTER FOR MOTION HEARING
- HEARING- 01/13/2025 AT 8:00 AM - MOTION HEARING
- E-MAILED TO SAROL, LISA
RE: CASE TRD250064, 23 TRANS NO 250060210
ORDER SETTING MATTER FOR MOTION HEARING
- E-MAILED TO MCLACHERON, ORVILLE M
RE: CASE TRD250064, 24 TRANS NO 250060210
ORDER SETTING MATTER FOR MOTION HEARING
- *(image attached)* STATEMENT OF RIGHTS AND PLEA FORM
- IDENTIFICATION INFORMATION FORM
- **01/14/2025**
- REPEAL MOTION TO OBJECT TO TRANSFER AND TO CLARIFY AND CORRECT THE RECORD
- NOTICE OF REQUEST
- REPEAL EMERGENCY COMBINED MOTION TO OBJECT TO TRANSFER AND TO CLARIFY AND CORRECT THE RECORD
- CORRESPONDENCE
- **01/13/2025**
- CORRESPONDENCE
- **01/09/2025**
- *(image attached)* CORRESPONDENCE
- **01/09/2025**
- CASE HAS FILED WITH COCK
- HEARING- 01/13/2025 AT 8:34 AM - ARRANGMENT
- UNIFORM TRAFFIC CITATION
- TRANSFER FROM MAYOR'S COURT
- PERSONAL IDENTIFIER FORM
- TRAFFIC ACCIDENT REPORT
- LEADS PREVIOUS
- MOTION TO DISMISS FOR VIOLATION OF SPEEDY TRIAL RIGHTS
- *(image attached)* BOND - RECEIPT NO. 2500197 BY THE AMOUNT OF \$ 134.00
- BOND PAYMENT ERROR OF \$ 134.00
- *(image attached)* ORDER SETTING MATTER FOR MOTION HEARING
- HEARING- 01/13/2025 AT 2:00 PM - MOTION HEARING
- E-MAILED TO SAROL, LISA
RE: CASE TRD250064, 23 TRANS NO 250060210
ORDER SETTING MATTER FOR MOTION HEARING
- E-MAILED TO MCLACHERON, ORVILLE M
RE: CASE TRD250064, 24 TRANS NO 250060210
ORDER SETTING MATTER FOR MOTION HEARING
- FAX CONFIRMATION
- **02/06/2025**
- FAX CONFIRMATION
- FAX CONFIRMATION
- FAX CONFIRMATION
- MOTION FOR RELIEF ON PENDING MOTIONS AND REQUEST FOR EXPEDITED CONSIDERATION
- NOTICE OF REQUEST
- DEFENDANT'S MOTION TO DISMISS FOR VIOLATION OF STATUTORY SPEEDY TRIAL RIGHTS
- **02/06/2025**
- STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
- STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
- STATE SUBPOENA ISSUED TO WITNESS
- STATE SUBPOENA ISSUED TO WITNESS
- SUBPOENA FEE \$4.00
- STATE SUBPOENA ISSUED TO WITNESS SUBMITTED
- STATE SUBPOENA ISSUED TO WITNESS
- SUBPOENA FEE \$4.00
- **01/24/2025**
- *(image attached)* MAGISTRATE'S DECISION
- E-MAILED TO SAROL, LISA
RE: RE: CASE TRD250064, 24 TRANS NO 250061114
- E-MAILED TO MCLACHERON, ORVILLE M
RE: RE: CASE TRD250064, 27 TRANS NO 250061114
- **01/21/2025**
- DIGITAL EVIDENCE PORTAL (CASECENTER) OPENED
- *(image attached)* PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS
- **01/16/2025**
- *(image attached)* ORDER SETTING BENCH TRIAL
- HEARING- 01/16/2025 AT 2:00 PM - BENCH TRIAL
- *(image attached)* ORDER
- E-MAILED TO SAROL, LISA
RE: CASE TRD250064, 23 TRANS NO 250060210
ORDER SETTING BENCH TRIAL

APPENDIX B

Electronically filed - Garfield Heights Municipal Court
ALEXANDER F. GRGAT, Clerk of Court - Jan 24, 2025 09:30:36 AM

GARFIELD HEIGHTS MUNICIPAL COURT
Cuyahoga County, Ohio

Brecksville)	
)	
Plaintiff)	Case No.: TRD 2500061
-vs-)	
)	
Mceachron, Orville M)	
7421 Demshar Dr)	Magistrate's Decision
Mentor, OH 44060)	
)	
Defendant)	

This matter came before this Court on the Defendant's Motion to Dismiss and Motion to Address Procedural Deficiencies. All parties were present in Court including the Brecksville Clerk of Courts

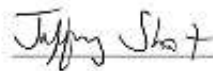
The Defendant alleges that this matter should be dismissed on the grounds that his speedy trial rights have been violated. The Defendant was issued a citation in this case on November 14, 2024. Defendant was ordered to appear in Brecksville Mayor's Court on December 5, 2024. By the Defendant's own admission, he failed to appear on that date. Defendant was given another court date of December 12, 2024 and the Defendant failed to appear on that date as well. The Court finds that the Defendant's own actions tolled the speedy trial time in this case and his motion is not well taken and is denied.

The Defendant's Motion to Address Procedural Deficiencies alleges that the Mayor's Court failed to transfer the entire Mayor's Court record to this Court. The Defendant objected to the Clerk of Courts testifying on this matter. The Court listened to the arguments of both parties and reviewed the information that was contained on this Court's docket. Based on the evidence before this Court, the Court finds that the Defendant's motion is not well taken and is denied.

This matter remains set for Bench Trial on February 13, 2025 at 2:00 P.M.

A party shall not assign as error on appeal the court's adoption of any finding of fact or conclusion of law contained in this decision unless the party timely and specifically objects to that finding or conclusion. Criminal Rule 19 and/or Traffic Rule 14.

Dated: 01/24/2025



Magistrate Jeffrey R. Short