

IN THE COURT OF CLAIMS OF OHIO

WILLIAM LANE

Requester

v.

PORTAGE COUNTY SHERIFF'S
OFFICE

Respondent

Case Nos. 2025-00910PQ,
2025-00911PQ, 2025-00916PQ,
2025-00917PQ, 2025-00920PQ,
2025-00921PQ

Judge Lisa L. Sadler

DECISION AND ENTRY

{¶1} In consolidated Ct. of Cl. Nos. 2025-00910PQ, 2025-00911PQ, 2025-00916PQ, 2025-00917PQ, 2025-00920PQ, and 2025-00921PQ, requester William Lane, a self-represented litigant, has filed written objections to a special master's report and recommendation.

{¶2} Because requester failed to serve his written objections in the manner required by R.C. 2743.75(F)(2), and because, after the standard established in *White v. Ross Corr. Inst.*, 2026-Ohio-1002, ¶ 27 (10th Dist.) is applied, there is no error of law or other defect evidence on the face of report and recommendation, requester's objections shall not be considered and the special master's report and recommendation shall be adopted.

I. Background and Procedural History

{¶3} On November 4, 2025, requester filed thirteen public-records complaints against respondent Portage County Sheriff's Office. (Report and Recommendation (R&R), 1.) Each case involved a separate public-records request made to the Portage County Sheriff's Office. (Id.) Requester's thirteen public-records cases were consolidated and referred to mediation. (Id.) The parties resolved seven of the thirteen cases in mediation. (Id.) The remaining six cases were returned to the special master's docket, where the special master issued a briefing schedule for the

presentation of evidence and argument. (Id.)

{¶4} On July 8, 2026, the special master issued a report and recommendation pertaining to the remaining six cases. The special master determined that requester did not serve a preliminary complaint, as required by R.C. 149.43(C)(1), and that requester did not “properly transmit[]” his preliminary complaint, with the result that requester could not affirm proper transmission. (R&R, 4.) The special master recommends the following:

- 1) Grant respondent’s motion to supplement in case number 2025-00917PQ;
- 2) Grant respondent’s motions to dismiss;
- 3) Dismiss the complaints pursuant to R.C. 149.43(C)(2);
- 4) Deny as moot requester’s May 8, 2026, motion to compel in case number 2025-00911PQ; and
- 5) Order requester to bear the costs of these cases.

(R&R, 6.)

{¶5} On July 16, 2026, requester filed written objections to the special master’s report and recommendation. According to an accompanying certificate of service, requester certifies: “A copy of the foregoing criminal complaint [sic] has been sent on July 11th 2026 by U.S. mail to the following parties or their counsel of record:”

II. Law and Analysis

Through the enactment of R.C. 2743.75 the General Assembly created an alternative means to resolve public-records disputes. *Welsh-Huggins v. Jefferson Cty. Prosecutor’s Office*, 2020-Ohio-5371, ¶ 11. See R.C. 2743.75(A). Notably, in *White v. Ross Corr. Inst.*, 2026-Ohio-1002, ¶ 28, (10th Dist.), the court of appeals found that this court exceeded its statutory role under R.C. 2743.75 by independently reviewing submitted evidence, because the respondent’s objections to a special master’s report and recommendation were not served by certified mail, return receipt requested, as mandatorily required by R.C. 2743.75(F)(2). In *White* at ¶ 28, the court of appeals explained:

Because the language requiring service of objections to a special master’s report and recommendation “by certified mail, return receipted

requested” is mandatory under R.C. 2743.75(F)(2), we find the trial court erred in considering [respondent-appellee’s] objections and issuing an order that exceeded its statutory role in determining whether “there is an error of law or other defect evident **on the face** of the report and recommendation.” (Emphasis added.) R.C. 2743.75(F)(2).

And in *White* at ¶ 27, in addition to making a finding about the timeliness of objections in that case, the court of appeals established the standard of review that should be applied by this court in the absence of objections that are properly before the court. In *White* at ¶ 27, the court of appeals stated:

[W]e find neither party timely lodged objections to the special master’s July 22, 2025 report and recommendation in the manner prescribed by R.C. 2743.75(F)(2). In the absence of objections properly before the court, the trial court was required to “adopt[] 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.” (Emphasis added.) R.C. 2743.75(F)(2).

{¶6} Accordingly, applying *White* at ¶ 27-28, the court finds that, in Ct. of Cl. Nos. 2025-00910PQ, 2025-00911PQ, 2025-00916PQ, 2025-00917PQ, 2025-00920PQ, and 2025-00921PQ, requester has not lodged timely objections to the special master’s report and recommendation in the manner prescribed by R.C. 2743.75(F)(2). On the authority of *White*, and in accordance with R.C. 2743.75(F)(2), the court finds that there is no error of law or other defect evident on the face of the special master’s report and recommendation issued on July 8, 2026, in Ct. of Cl. Nos. 2025-00910PQ, 2025-00911PQ, 2025-00916PQ, 2025-00917PQ, 2025-00920PQ, and 2025-00921PQ.

{¶7} Having found no error of law or other defect evident on the face of the report and recommendation, the court therefore ADOPTS the special master’s report and recommendation issued on July 8, 2026, in Ct. of Cl. Nos. 2025-00910PQ, 2025-00911PQ, 2025-00916PQ, 2025-00917PQ, 2025-00920PQ, and 2025-00921PQ. In accordance with the special master’s recommendations, the court

- 1) GRANTS respondent’s motion to supplement in case number 2025-00917PQ;
- 2) GRANTS motions to dismiss filed by respondents in Ct. of Cl. Nos. 2025-

00910PQ, 2025-00911PQ, 2025-00916PQ, 2025-00917PQ, 2025-00920PQ, and 2025-00921PQ;

3) DISMISSES without prejudice the complaints filed Ct. of Cl. Nos. 2025-00910PQ, 2025-00911PQ, 2025-00916PQ, 2025-00917PQ, 2025-00920PQ, and 2025-00921PQ;¹

4) DENIES, as moot requester's May 8, 2026, motion to compel in case number 2025-00911PQ; and

5) ORDERS requester to bear court costs in Ct. of Cl. Nos. 2025-00910PQ, 2025-00911PQ, 2025-00916PQ, 2025-00917PQ, 2025-00920PQ, and 2025-00921PQ. The clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

LISA L. SADLER
Judge

Filed July 23, 2026
Sent to S.C. Reporter 8/31/26

¹ Because requester failed to comply with a procedural requirement of R.C. 149.43(C)(1), and in accordance with R.C. 149.43(C)(2), the court concludes that dismissal of these consolidated cases without prejudice is appropriate. See *Fletcher v. Univ. Hosps. of Cleveland*, 2008-Ohio-5379, paragraph two of the syllabus (“[a] dismissal of a complaint for failure to file the affidavit required by Civ.R. 10(D)(2) is an adjudication otherwise than on the merits. The dismissal, therefore, is without prejudice”); *State ex rel. Mason v. Supervisor of Edn., Warren Corr. Inst.*, 2025-Ohio-4803, ¶ 11 (“[a] dismissal of a case that is not on the merits must be without prejudice”). Compare *Thomas v. Freeman*, 79 Ohio St.3d 221, 225 (1997), fn. 2 (“[a] dismissal with prejudice is treated as an adjudication on the merits. *Tower City Properties v. Cuyahoga Cty. Bd. of Revision* (1990), 49 Ohio St. 3d 67, 69, 551 N.E.2d 122, 124”).

The court finds that a dismissal of requester's complaints in these consolidated cases, without a response from the respondents in the consolidated cases, will not result in material prejudice to the respondents in the consolidated cases.