

IN THE COURT OF CLAIMS OF OHIO

BRODY DYER

Requester

v.

GREAT PARKS OF HAMILTON COUNTY

Respondent

Case No. 2025-01029PQ

Judge Lisa L. Sadler

JUDGMENT ENTRY

{¶1} The special master has issued a recommendation to dismiss this public-records case. She recommends dismissal because the case fails to state a claim.

{¶2} R.C. 2743.75(D)(2) authorizes this court to sua sponte dismiss a complaint that fails to state a claim for relief. *Jones v. Allen Cty. Common Pleas Court*, 2023-Ohio-1863, ¶ 4, adopted 2023-Ohio-2324 (Ct. of Cl.). Requester failed to attach his original public records request to his complaint as required by Revised Code 2743.45(D)(1). Requester also failed to attach that public records request to his amended complaint, as ordered by the special master. The allegations in both the complaint and amended complaint fail to delineate the public records request that requester seeks to adjudicate. At each point that requester’s complaint references the disputed public records request, the terms of the request are different. See Compl., p. 1, 3 ¶ 5, 6-10. The complaint therefore fails to plead facts showing that the requester sought an identifiable public record pursuant. *Welsh-Huggins v. Jefferson Cty. Prosecutor’s Office*, 163 Ohio St.3d 337, 2020-Ohio-5371, 170 N.E.3d 768, ¶ 33. Requester had an opportunity to cure this deficiency and failed to do so. See *Ohio Crime Victim Justice Ctr. v. City of Cleveland Police Div.*, 2017-Ohio-8950, ¶ 6, adopted Dec. 12, 2017 (Ct. of Cl.) (requester filed original public records request as ordered by court, curing the pleading deficiency).

{¶3} Pursuant to 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 the complaint at any time.” Upon review, the court finds that the special master’s recommendation for dismissal is well taken. Accordingly, pursuant to R.C. 2743.75(D)(2), upon the special master’s recommendation, the court sua sponte dismisses the complaint in this case without prejudice. 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

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Sent to S.C. Reporter 2/13/26