

IN THE COURT OF CLAIMS OF OHIO

ELHADJ ALPHA MAHMOUD SOUARE	Case No. 2025-00965PQ
Requester	Special Master Sarah Pierce
v.	<u>RECOMMENDATION FOR DISMISSAL</u>
OHIO BUREAU OF MOTOR VEHICLES	
Respondent	

{¶1} Before me are Requester’s two motions to amend his complaint, filed February 13 and February 17, 2026. Upon review of these motions, I recommend that this case be dismissed pursuant to R.C. 2743.75(D)(2). I also recommend that all of Requester’s pending motions be denied as moot.

I. Background

{¶2} On November 24, 2025, Requester filed his public records complaint. In that complaint, Requester alleged that the Respondent had not responded to his public records request submitted May 19, 2025. *See Complaint, filed Nov. 24, 2025*, p. 1. Requester therefore sought production of the requested records, court costs, and statutory damages “as permitted.” *Id.*, p. 2.

{¶3} The case was referred to mediation and a mediation conference was held on January 29, 2026. *Order Referring to Mediation, entered Dec. 1, 2025; Notice of Third Scheduled Mediation Conference, entered Feb. 6, 2026.*

{¶4} Another mediation conference was scheduled. Before that conference, Requester filed a motion to expedite the proceedings. *Motion, filed Feb. 9., 2026.* In that motion, Requester indicated that he sought relief beyond a response to his May 19,

2025, public records request. I denied the motion and specifically advised Requester that this Court could only order public records relief in this public records case. *Entry, entered Feb. 10, 2026.*

{¶5} On February 13 and February 17, 2026, Requester filed two motions to amend his original public records complaint. In his February 13 motion, Requester is explicit that he “does NOT seek production of public records.” *Motion*, p. 2. Requester appeared to attach an amended complaint to the motion. *See id.*, p. 11. In his February 17 motion, Requester asks for leave to file the February 13 amended complaint. *Motion*, p. 2.

II. Analysis

{¶6} Revised Code 2743.75(D)(2) authorizes the special master to recommend dismissal of public records complaints in appropriate cases. Requester filed his complaint pursuant to R.C. 2743.45. The relief the court can order in a R.C. 2743.45 public records case is limited to the production of specific public records, recovery of the requester’s filing fee, and recovery of costs. R.C. 2743.45(F); *Doe v. Ohio State Univ.*, 2024-Ohio-5897, ¶ 53 (10th Dist.); *Trader v. Ontario Local School Dist.*, 2025-Ohio-2374, ¶ 5, adopted 2025-Ohio-2879 (Ct. of Cl.).

{¶7} In his recent filings, Requester is explicit that he no longer seeks public records relief. *See Motion, filed Feb. 13, 2026*, p. 2. Requester now seeks reinstatement of his driver’s license and monetary damages for the license suspension. *Id.* This is not relief that can be granted by the Court in this action. *See 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.”).

{¶8} Requester has participated in mediation regarding his original public records claim and abandoned that claim. I therefore recommend that the Court construe Requester’s recent motions as a voluntary dismissal of his public records complaint pursuant to R.C. 2743.45(D)(1) and dismiss his public records complaint. This will not prevent Requester from filing his claims regarding his driver’s license in an appropriate

case. I further recommend that costs be assessed against Requester because he implicitly agreed to pay those costs by filing this case. *Helfrich v. Hall*, 2022-Ohio-1852, ¶ 25 (5th Dist.).

III. Conclusion.

{¶9} Based on the foregoing, I recommend that the court:

- A. Dismiss this case pursuant to R.C. 2743.75(D)(2) without prejudice.
- B. Assess costs against requester.
- C. Deny any pending motions as moot.

SARAH PIERCE
Special Master

Filed February 18, 2026
Sent to S.C. Reporter 3/19/26