

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
SANDUSKY COUNTY

State ex rel. Mary Elizabeth Fiser
and Beth A. Tischler

Court of Appeals No. S-12-028

Relators

v.

Sandusky County Board of Elections

DECISION AND JUDGMENT

Respondent

Decided: October 31, 2012

* * * * *

Andrew R. Mayle, Jeremiah S. Ray, and Ronald J. Mayle,
for relators.

Russell V. Leffler, Special Prosecuting Attorney, for respondent.

* * * * *

SINGER, P.J.

{¶ 1} Relators, Mary Elizabeth Fiser, et al., have filed a complaint for a writ of mandamus and for declaratory judgment against respondent, Sandusky County Board of Elections. Relators seek an order compelling respondent to accept their petitions and hold an election for the judge offices in the Sandusky County County Court.

{¶ 2} Pursuant to the ruling by the Supreme Court of Ohio in *State ex rel. Whitehead v. Sandusky Cty. Bd. of Commrs.*, Slip Opinion No. 2012-Ohio-4837, relators' request for writ of mandamus is granted. Respondent is ordered to accept relators' petitions and to hold the election on November 6, 2012, for the judge offices in the Sandusky County County Court. *See id.*

{¶ 3} Accordingly, relators' petition for writ of mandamus is well-taken and granted. All pending motions are rendered moot. Court costs of this proceeding are assessed to respondent.

{¶ 4} To the Clerk: Manner of Service

{¶ 5} The sheriff of Sandusky County shall immediately serve, **upon the respondent** by personal service, a copy of this writ pursuant to R.C. 2731.08.

{¶ 6} The clerk is further directed to immediately serve **upon all other parties** a copy of this writ in a manner prescribed by Civ.R. 5(B).

{¶ 7} It is so ordered.

Writ granted.

Mark L. Pietrykowski, J. _____

JUDGE

Arlene Singer, P.J. _____

JUDGE

Stephen A. Yarbrough, J.
CONCUR. _____

JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at: <http://www.sconet.state.oh.us/rod/newpdf/?source=6>.