

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

Michael Turski, Jr.

Court of Appeals No. L-26-00170

Relator

v.

Judge Joshua W. Lanzinger

DECISION AND JUDGMENT

Respondent

Decided: August 18, 2026

* * * * *

Michael Turski, Jr., pro se.

Dale R. Emch, Jeffrey B. Charles, John T. Madigan, for respondent.

* * * * *

OSOWIK, PJ.

{¶ 1} This matter is before the court upon relator Michael Turski, Jr.’s Complaint for a Writ of Mandamus and/or Procendendo filed on July 7, 2026. In his complaint, relator requests this court issue a writ of mandamus and/or procendendo ordering respondent, Judge Joshua W. Lanzinger, of the Toledo Municipal Court, to vacate the *Nolle Prosequi* Order and return the matter back to the active docket in case No. CRA-18-04747, *State v. Turski*. For the following reason, we dismiss relator’s complaint.

{¶ 2} R.C. 2731.04 provides, in part, that “[a]pplication for the writ of mandamus must be by petition, in the name of the state on the relation of the person applying, and verified by affidavit.” Here, relator’s petition is not in the name of the state.

Accordingly, we must follow the Supreme Court’s ruling in *Blankenship v. Blackwell*, 2004-Ohio-5596, ¶ 36, which states, “[i]f * * * a respondent in a mandamus action raises this R.C. 2731.04 defect and relators fail to seek leave to amend their complaint to comply with R.C. 2731.04, the mandamus action must be dismissed.” citing *Litigaide, Inc. v. Lakewood Police Dept. Custodian of Records*, 75 Ohio St.3d 508 (1996); *see also Brown v. Sargeant*, 2003-Ohio-3839, ¶ 2 (6th Dist.).

{¶ 3} As such, we hereby dismiss relator’s complaint in its entirety. Relator is responsible for the costs of this action. The clerk is directed to serve upon all parties, within three days, a copy of this decision in a manner prescribed by Civ.R. 5(B).

{¶ 4} It is so ordered.

Thomas J. Osowik, PJ.

JUDGE

Christine E. Mayle, J.

JUDGE

Myron C. Duhart, 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.supremecourt.ohio.gov/ROD/docs/.
