

STATE OF OHIO)
)ss:
COUNTY OF SUMMIT)

IN THE COURT OF APPEALS
NINTH JUDICIAL DISTRICT

STATE OF OHIO EX REL. JC DEVAR
SANDERS, by and through his next friend,
Lachanda Gales

C.A. No. 32072

Relator

v.

THE HONORABLE TAMMY O'BRIEN,
JUDGE

ORIGINAL ACTION IN
PROHIBITION

Respondent

Dated: August 19, 2026

PER CURIAM.

{¶1} Lachanda Gales, purporting to act in the capacity of next friend of Mr. Sanders, filed a petition seeking a writ of prohibition directing Judge O'Brien to refrain from exercising jurisdiction over Summit County Court of Common Pleas Case No. 2022-04-1359 and vacating past actions in that case.

{¶2} A “next friend” can pursue a habeas corpus action on behalf of a detained person. *See Whitmore v. Arkansas*, 495 U.S. 149, 163 (1990); R.C. 2725.04. In that situation, an individual asserting next-friend status must demonstrate that the petitioner cannot appear on his own behalf for reasons such as “inaccessibility, mental incompetence, or other disability. . . .” *Cuyahoga Cty. Bar Assn. v. Spurlock*, 2002-Ohio-2580, ¶ 13, quoting *Whitmore* at 163. The “necessary condition” that must be established to support next-friend standing is that the petitioner “is unable to litigate

his own cause. . . .” *Id.* at ¶ 15, quoting *Whitmore* at 165. Mr. Sanders’ petition, however, does not seek a writ of habeas corpus, so R.C. 2725.04 does not apply. Instead, next-friend status is available only under Civ.R. 17(B), which provides that “a minor or incompetent person” may sue by a next friend if the person lacks a duly-appointed representative.

{¶3} Ms. Gales maintains that she has next-friend standing under R.C. 2725.04. As noted above, however, that statute does not apply. She has not demonstrated that Mr. Sanders is “a minor or incompetent person” for purposes of Civ.R. 17(B). Accordingly, she does not have standing as next friend to bring this action, and it must be dismissed on that basis.

{¶4} This case is dismissed. Costs are taxed to Lachanda Gales. The clerk of courts is hereby directed to serve upon all parties not in default notice of this judgment and its date of entry upon the journal. *See* Civ.R. 58(B).

JILL FLAGG LANZINGER
FOR THE COURT

SUTTON, J.
STEVENSON, J.
CONCUR.

APPEARANCES:

LACHANDA GALES, Pro Se, Relator.

ELLIOT KOLKOVICH, Prosecuting Attorney, and JENNIFER M. PIATT, Assistant Prosecuting Attorney, for Respondent.