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IN THE COURT OF COMMON PLEAS OF PAULDING COUNTY, OHIO

JANET GOYINGS,

Plaintiff,

Case No. CI-04 318

vs.

JUDGMENT ENTRY

ROMANE RICKELS,

Defendant.

CLERK OF COURTS
AND
PROBATION
PAULDING COUNTY OHIO

06 FEB -2 PM 1:48

THIS CAUSE came on for trial on the Plaintiff's complaint seeking to have the Defendant found to be a vexatious litigator, as defined in Section 2323.52 of the Ohio Revised Code, and the Defendant's counterclaims with the Plaintiff appearing with counsel, Michael C. Jones, and the Defendant appearing without counsel.

WHEREUPON, the Court having considered the evidence adduced, arguments of counsel and the Defendant, and the memoranda finds, based upon the redundant and unintelligible nature of the Defendant's filings that the Defendant's filings obviously serve merely to harass or maliciously injure the Plaintiff; and,

The Court further finds, because of the unintelligible nature of the Defendant's filings, they are not warranted under existing law and cannot be supported by a good faith argument for an extension, modification, or reversal of existing law; and,

The Court therefore finds that the Defendant, Romane Rickels, is a vexatious litigator as that term is defined in Section 2323.52 of the Ohio Revised Code.

<p>RECEIVED</p> <p>FEB 06 2006</p> <p>MARCIA J. MENGEL, CLERK SUPREME COURT OF OHIO</p>	<p>RECEIVED</p> <p>MARCIA J. MENGEL, CLERK SUPREME COURT OF OHIO</p>
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The Court further finds that the Defendant has failed to present competent evidence to sustain his counterclaims and that the Defendant's counterclaims should be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendant be and hereby is determined to be a vexatious litigator.

IT IS FURTHER ORDERED that the Defendant be and hereby is prohibited from doing any of the following without first obtaining leave of this Court to proceed, to-wit:

1. Instituting any legal proceedings in the Court of Claims or in a Court of Common Pleas, Municipal Court, or County Court in the State of Ohio;

2. Continuing any legal proceedings that the Defendant has instituted in the Court of Claims or in a Court of Common Pleas, Municipal Court, or County Court within this State prior to entry of this order;

3. Making any application, other than an application for leave to proceed in any legal proceedings instituted by the Defendant in the Court of Claims or in a Court of Common Pleas, Municipal Court, or County Court within this State.

IT IS FURTHER ORDERED that the Defendant's counterclaims be and hereby are dismissed with prejudice.

IT IS FURTHER ORDERED that the Defendant's motions filed subsequent to the trial herein be and hereby are overruled.

IT IS FURTHER ORDERED that the Defendant pay the costs herein.

IT IS FURTHER ORDERED that the Clerk of this Court shall send a certified copy of this order to the Supreme Court of Ohio for publication in a manner that the

Supreme Court determines is appropriate pursuant to Section 2323.52(H) of the Ohio Revised Code.

DATED this 2nd day of February, 2006.



J. David Webb, JUDGE

Copy to Michael C. Jones, Esq.
 Counsel for Plaintiff

 Romane Rickels
 344 Rosewood, Apt. #35
 Defiance, OH 43512

THE STATE OF OHIO }
PAULDING COUNTY } SS CERTIFICATE

I the undersigned Clerk of the Common Pleas Court of the Paulding County, Ohio hereby certify that the foregoing *Judgment Entry* is taken and copied from the original now on file in said Court, and that it is a true and correct copy thereof

IN TESTIMONY WHEREOF, I hereunto subscribe my name officially and affixed the seal of said court this *2nd* day of *February*, *2006*

ANN E WALDMAN, Clerk
Franklin Hart
BY _____ Deputy

IN THE COURT OF COMMON PLEAS OF PAULDING COUNTY, OHIO

JANET GOYINGS,

Plaintiff,

Case No. CI-04 318

vs.

DECISION

ROMANE RICKELS,

Defendant.

06 FEB -2 PM 1:47
PAULDING COUNTY, OHIO

THIS CAUSE came on for trial on the Plaintiff's complaint seeking to have the Defendant found to be a vexatious litigator, as defined in Section 2323.52 of the Ohio Revised Code, and the Defendant's counterclaims with the Plaintiff appearing with counsel, Michael C. Jones, and the Defendant appearing without counsel.

This matter arises out of multiple cases that all have their origin in the Guardianship and Estate proceedings of Minnie Rickels in the Paulding County Probate Court.

The Plaintiff was appointed Guardian and later Administratrix of the Estate of Minnie M. Rickels by the Probate Division of this Court.

In Case No. P-02-152, which is the Guardianship of Minnie Rickels, the Defendant filed the following pleadings, amongst others:

1. Objection to Guardianship (filed 9/16/02) (Plaintiff's Exhibit #4)
2. Motion for Voidance of Guardianship (filed 9/16/02) (Plaintiff's Exhibit #6)
3. Motion for New Trial (filed 10/4/02) (Plaintiff's Exhibit #10)
4. Motion for New Trial (filed 10/8/02) (Plaintiff's Exhibit #11)

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SUPREME COURT OF OHIO

5. Motion for New Trial (filed 10/16/02) (Plaintiff's Exhibit #12)
6. Motion for Relief from Judgment (filed 10/25/02) (Plaintiff's Exhibit #13)

None of the foregoing motions or objections filed by the Defendant were sustained.

In Case No. P-03-02, which is the Estate of Minnie Rickels, the Defendant has filed the following pleadings, amongst others:

1. Motion for Dismissal of Will to Probate (filed 1/17/03) (Plaintiff's Exhibit #23)
2. Motion for Immediate Dismissal of Application for Authority to Administer Estate (filed 1/23/03) (Plaintiff's Exhibit #24)
3. Motion for Removal of Fiduciary (filed 3/28/03) (Plaintiff's Exhibit #30)
4. Motion for Removal of Fiduciary (filed 4/14/04) (Plaintiff's Exhibit #32)
5. Motion for Summary Judgment (filed 4/23/03) (Plaintiff's Exhibit #34)
6. Motion for Removal of Fiduciary (filed 10/22/04) (Plaintiff's Exhibit #45)
7. Motion for Removal of Fiduciary (filed 11/18/04) (Plaintiff's Exhibit #46)
8. Motion for Removal of Fiduciary (filed 1/19/05) (Plaintiff's Exhibit #51)
9. Motion for Removal of Fiduciary (filed 2/18/05) (Plaintiff's Exhibit #55)
10. Motion for Removal of Fiduciary's Advocate (filed 3/30/05) (Plaintiff's Exhibit #57)
11. Motion for Removal of Fiduciary (filed 8/10/05) (Plaintiff's Exhibit #58)
12. Motion for Removal of Fiduciary (filed 8/10/05) (Plaintiff's Exhibit #60)

13. Motion for Removal of Fiduciary (filed 8/19/05) (Plaintiff's Exhibit #64)

Among the foregoing pleadings in the Estate proceedings are nine (9) motions seeking the removal of the Fiduciary. None of these motions have been granted.

Case No. P-03-02(A) is a Complaint for Declaratory Judgment (Plaintiff's Exhibit #67) filed on January 20, 2004 by heirs at law of Minnie Rickels seeking a declaratory judgment that a Transfer on Death deed that was executed by Minnie Rickels prior to the effective date of Section 5302.22 of the Ohio Revised Code, which makes provision for Transfer on Death deeds, is invalid; and, also seeking a declaratory judgment that said deed is also invalid because of undue influence exerted by the Defendant herein upon Minnie Rickels.

In Case No. P-03-02(A), the Defendant has filed the following pleadings, amongst others:

1. Motion for Summary Judgment (filed 2/27/04) (Plaintiff's Exhibit #68)
2. Motion to Dismiss Fiduciary as a Party (filed 3/3/04) (Plaintiff's Exhibit #69)
3. Counterclaim; Motion to Assert After-Maturing Claim (filed 6/9/04) (Plaintiff's Exhibit #73)
4. Motion to Dismiss (filed 6/22/04) (Plaintiff's Exhibit #74)
5. Motion to Dismiss (filed 7/6/04) (Plaintiff's Exhibit #75)
6. Motion to Dismiss (filed 10/19/04) (Plaintiff's Exhibit #76)
7. Motion to Dismiss (filed 11/10/04) (Plaintiff's Exhibit #77)
8. Counterclaim; Motion to Assert After-Maturing Claim (filed 3/16/05) (Plaintiff's Exhibit #81)
9. Motion for Summary Judgment (filed 8/10/05) (Plaintiff's Exhibit #85)

10. Motion for Summary Judgment (filed 8/10/05) (Plaintiff's Exhibit #86)
11. Motion to Dismiss (filed 8/10/05) (Plaintiff's Exhibit #87)
12. Motion to Assert After-Maturing Claim (filed 8/19/05) (Plaintiff's Exhibit #90)

Again, none of the foregoing motions have been granted.

The Complaint in Case No. CI-04-233 in this Court (Plaintiff's Exhibit #112) is captioned, "Complaint; Declaratory Judgment" and alleges, as best the Court can determine, that Janet Goyings made false representations to enter safe deposit boxes at the Sky Bank and Community First Bank.

The last paragraph of the Complaint in Case No. CI-04-233 reads as follows:

"REQUESTED RELIEF

22. The instrument used by the Defendant for either August, September and/or October Estate – entrance is a nullity with no validity as the Decedent Minnie Rickels was diagnosed an incompetent person in August thru October 20, 2002, without capacity to enter into any contract and for all other just and proper relief."

What relief Mr. Rickels is seeking in Case No. CI-04-233 is unclear.

The Complaint in Case No. CI-04-193 in this Court (Plaintiff's Exhibit #93) is captioned, "Complaint; Conversion" and alleges, as best the Court can determine, that Janet Goyings wrongfully changed a "pay-on-death" money market account that had named him as beneficiary by deleting him as the beneficiary.

The last paragraph of the Complaint in Case No. CI-04-193 reads as follows:

"REQUESTED RELIEF

17. The Court is requested to confirm incompetency, the lack of capacity to contract and the decedent's original testamentary disposition of assets without following the formalities of the Statute of Wills."

What relief Mr. Rickels is seeking in Case No. CI-04-193 is again unclear.

All of the pleadings filed by the Defendant consist mostly of what the Court would charitably characterize as a hodgepodge of unintelligible ramblings.

Section 2323.52(A)(3) of the Ohio Revised Code defines: "Vexatious Litigator" as follows:

"Vexatious litigator" means any person who has habitually, persistently, and without reasonable grounds engaged in vexatious conduct in a civil action or actions, whether in the court of claims or in a court of appeals, court of common pleas, municipal court, or county court, whether the person or another person instituted the civil action or actions, and whether the vexatious conduct was against the same party or against different parties in the civil action or actions. . . . "

Section 2323.52(A)(2) of the Ohio Revised Code defines "vexatious conduct" as follows:

"Vexatious conduct" means conduct of a party in a civil action that satisfies any of the following:

- (A) The conduct obviously serves merely to harass or maliciously injure another party to the civil action.
- (B) The conduct is not warranted under existing law and cannot be supported by a good faith argument for an extension, modification, or reversal of existing law.
- (C) The conduct is imposed solely for delay."

The Court finds based upon the redundant and unintelligible nature of the Defendant's filings (three motions for a new trial and one motion for relief from

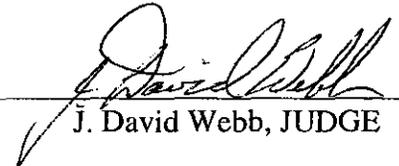
judgment in Case No. P-02-152, nine motions for removal of Fiduciary in Case No. P-03-02, and four motions to dismiss and three motions to assert after-maturing claims in Case No. P-03-02(A)) that the Defendant's filings obviously serve merely to harass or maliciously injure the Plaintiff.

The Court also finds, because of the unintelligible nature of the Defendant's filings, they are not warranted under existing law and cannot be supported by a good faith argument for an extension, modification, or reversal of existing law.

The Court therefore finds that the Defendant, Romane Rickels, is a vexatious litigator as that term is defined in Section 2323.52 of the Ohio Revised Code.

The Court further finds that the Defendant has failed to present competent evidence to sustain his counterclaims and that they should be dismissed with prejudice.

DATED this 2nd day of February, 2006.


J. David Webb, JUDGE

Copy to Michael C. Jones, Esq.
Counsel for Plaintiff

Romane Rickels
344 Rosewood, Apt. #35
Defiance, OH 43512

THE STATE OF OHIO } SS CERTIFICATE
PAULDING COUNTY }
I the undersigned Clerk of the Common Pleas
Court of the Paulding County Ohio hereby
certify that the foregoing Decision
is taken and copied from the original now on
file in said Court, and that it is a true and
correct copy thereof
TESTIMONY WHEREOF, I hereunto subscribe
my name officially and affixed the seal of said court
this 2nd day of February 2006
ANNE WALDMAN, Clerk

BY Deputy