

THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
CASE SUMMARIES
December 6, 2024

These case summaries are issued for the convenience of the public, the bench, and the bar. They are a brief statement of the court's holdings and are not to be considered headnotes or syllabi. Copies of opinions are available from the particular county's clerk of courts. The full text of each opinion will be available on the Ohio Supreme Court's website at <http://www.supremecourt.ohio.gov/rod/docs/?source=2>.

Case Name: *Mark Patterson v. State of Ohio*
Case No: Greene C.A. No. 2024-CA-42; T.C. Case No. 2024 CV 0372
Panel: Epley, Welbaum, Lewis
Author: Christopher B. Epley
Summary: The trial court did not err in granting the State's motion to dismiss appellant's declaratory judgment action. Greene County's motion to dismiss was properly before the court and was ripe for review, so it was harmless error that the court issued its decision before appellant had time to respond to the Attorney General's motion to dismiss. Additionally, because appellant was using the declaratory judgment as a vehicle to overturn his conviction and life sentence, the controversy was not justiciable in character, and the trial court properly dismissed it. Judgment affirmed.

Case Name: *State of Ohio v. James F. Brown*
Case No: Champaign C.A. No. 2024-CA-18; T.C. Case No. 24 CRB 357
Panel: Epley, Welbaum, Lewis
Author: Christopher B. Epley
Summary: The evidence at trial did not support a contempt finding for failing to appear for a hearing on nonpayment of fines and court costs. Although appellant had outstanding balances in two misdemeanor cases, the complaint did not clearly identify which judgment he had failed to obey and when. The State also failed to demonstrate that appellant owed any outstanding fines, as opposed to court costs, in one underlying case. Judgment reversed.

Case Name: *State of Ohio v. Zachary A. Becker*
Case No: Greene C.A. No. 2024-CA-22; T.C. Case No. 2024 CR 0099
Panel: Epley, Welbaum, Lewis
Author: Ronald C. Lewis
Summary: The trial court erred in overruling appellant's motion to dismiss a felony charge of operating a vehicle under the influence (OVI) on

double jeopardy grounds, where he had previously been convicted of a misdemeanor OVI charge involving the same incident. Judgment reversed.

DECISION AND FINAL JUDGMENT ENTRY RENDERED DECEMBER 2, 2024

Case Name: *Seelbaugh, Grantor/Trustee of the Christopher Paul Seelbaugh, Revocable Living Trust v. Common Pleas Court of Montgomery Cty., Domestic Relations Div. & Montgomery Cty. Child Support Agency*

Case No. Montgomery C.A. No. 30292

Panel: Epley, Welbaum, Tucker

Author: Per Curiam

Summary: Relator's petition for a writ of prohibition fails because the court of common pleas, domestic relations division, is not sui juris and cannot be sued. Relator's sovereign citizen arguments lack merit, and the domestic relations court and child support enforcement agency have subject-matter jurisdiction to enforce child support orders. Respondents' motions to dismiss sustained. Writ denied.