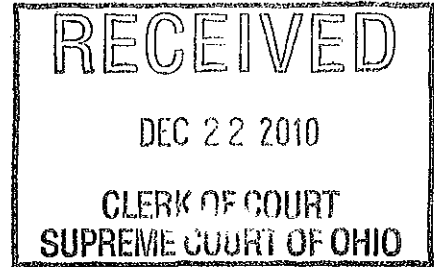


FILED IN THE COURT OF COMMON PLEAS

2010 DEC 15 P 3 50

LAKE COUNTY, OHIO



ANNE R. LYONS, KELLY  
LAKE CO. CLERK OF COURT

Plaintiff,

vs.

KEVIN R. LYONS

Defendant.

CASE NO. 10 CV 000311

OPINION AND JUDGMENT ENTRY

December 15, 2010

This matter is before the court to address the complaint filed by plaintiff Anne Lyons to declare defendant Kevin Lyons a vexatious litigator pursuant to R.C. 2323.52. Plaintiff claims defendant persistently and habitually filed pleadings in Case No. 06 DR 000408 in order to harass, intimidate and reassert control over her. This case arose from a divorce between the two approximately three years ago. A trial to this court was held on September 17, 2010. The parties stipulated to the pleadings filed in the divorce case (Case No. 06 DR 000408) up to May 12, 2010.

The plaintiff filed for divorce on June 2, 2006 following a period of increasing marital strife starting in 2000. The defendant acted pro se from June 2, 2006 until February 7, 2007, when an attorney filed an appearance on his behalf. This was approximately six weeks prior to the trial before a magistrate that was set for March 19, 2007. Four days prior to the trial (March 15, 2007), the parties executed a Separation Agreement which resolved all of the issues between them, including the allocation of parental rights and responsibilities. This was accepted by the magistrate and affirmed by the Judge of the Domestic Relations Court. The Decree of Divorce was filed on April 13, 2007 granting a divorce on the grounds of incompatibility and ordering the execution of the terms of the Separation Agreement. Defendant did not appeal the decree. Acting pro se, he filed his first post-decree motion on January 8, 2008. Since then, he has filed numerous motions, all of them pro se. During the hearing before this court, he represented himself. Plaintiff was represented by her attorney.

The parties had been married almost twenty years and had six children together. At the time of the divorce, plaintiff was employed full time with the Federal Reserve Bank of Cleveland and was making about four times defendant's salary. Defendant was employed part time at Heinen's Fine Foods working about thirty-five hours a week on week nights and

weekends. He had worked there since June 2002. At the time of the divorce, the two older children had reached age eighteen and were emancipated. The four remaining children were minors aged 15, 13, 10 and 7. Plaintiff was designated the residential parent and legal custodian of the minor children. The mother and the children continued to reside at the marital house in Concord, Ohio and the children remained in the Riverside School District. Evidence during the hearing before this court showed that the children continued to thrive academically, socially and athletically. The maternal grandmother, a retired high school teacher, lives approximately a mile and half away and helps with the children. The paternal grandparents are also involved with the children and plaintiff sends them various sports and school schedules so that they can participate in the childrens' lives.

Defendant received parenting time as outlined in paragraph 11 of the Separation Agreement which in part provided:

Currently, Father is financially unable to secure independent housing suitable for exercising full parenting time, therefore, parenting time with the minor children and Father shall be every other Sunday from 1:00 p.m. - 5:00 p.m. and every Tuesday from 5:30 p.m. to 7:30 p.m. until such time as Father has independent housing. During the week following the weekend that Father does not have Sundays, then Father shall have Mondays (alternating Mondays) from 5:30 p.m. to 7:30 p.m. For the sake of clarity due to the time of day of Father's parenting time, the children shall be given at least one meal and appropriate snacks during each of his parenting times. For Mondays and Tuesdays the meal is dinner and for Sundays the meal is for lunch.

When Father has independent housing, Father shall notify Mother of the address and cell and/or land line phone number and Father's parenting time shall be expanded and the schedule shall be as follows;

Father shall initially have the children every other weekend from Saturday at 9:00 a.m. to Sunday at 9:00 a.m. Father shall provide three meals and snacks on Saturday and offer breakfast on Sundays. Based upon the ages and wishes of the children and Father's schedule, Father's parenting time shall be expanded to every other weekend from Friday at 6:00 p.m. to Sunday at 6:00 p.m. Father shall provide dinner on Fridays and three means and snacks on Saturday and three meals and snacks on Sunday. To encourage a family unit and brotherly bond, one of the two middle children shall be included in all parenting time with their father.

Initially, defendant was ordered to pay \$19.33 per month per child which increased to \$97.46 per child per month effective September 1, 2007. Plaintiff was to provide health insurance for the children.

Plaintiff continues to be residential parent and legal custodian. The defendant currently resides with a friend in a house in Fairview Park, Ohio. He does not pay rent due to lack of funds but provides work around the house. He previously testified that he has no legal interest in the property which is leased by his friend and has no legal right to stay there if his friend asks him to leave. The children have not been to this residence. Previously, other friends have allowed him to stay with them under similar circumstances. The Domestic Relations Court concluded that his current living arrangement did not constitute independent housing with respect to child custody. The approximately fifty mile distance between his residence and his former wife's residence and his lack of funds for transportation and meals has complicated his seeing his children. He has cancelled and attempted to reschedule numerous visits in 2008 and 2009. The parties utilize e-mail for coordinating visitation times and providing updates of the children's activities. These e-mails have not been shared with the children.

As previously mentioned, defendant has filed numerous motions, many of them duplicative and all of them pro se, forcing plaintiff to expend considerable funds for legal expenses. The Lake County Domestic Relations Court, in a journal entry filed June 2, 2009, noted that the defendant has filed a minimum of sixty motions for the reallocation of parental rights and responsibilities and child support in a seventeen month period. The court noted the following:

Reviewing the repetitive and accusatory motion filings of the Defendant along with his April 15, 2009 Notice to State, County, Court et al shows the defendant views this Court as his adversary. The defendant has repeatedly blamed the deterioration of his marriage and apparent deterioration of his relationship with some or all of his children upon this Court. The defendant's ecclesiastical references and statements further show the defendant's strongly held belief civil law is inapplicable to his family, in derogation of Ohio law.

The Judge and Magistrates of this Court have expended untold hours reading, reviewing, and ruling on the defendant's repeated, voluminous motions as to the Lyons children. As a result, it is has become necessary for this Judge to place the defendant on notice that any further motion filings as to the reallocation of parental rights and responsibilities and child support between himself and the plaintiff pending trial, and the issuance of the Magistrate's Decisions shall be referred for consideration of vexatious litigator proceedings.

Any further motion filings as to this Court being required to account, or explain its actions, acknowledge the defendant's authority over his family, or otherwise shall also be referred for consideration of vexatious litigator proceedings in that these matters have already been ruled on numerous times by the undersigned.

Since then, defendant has filed his sixth motion to modify the child support order (not counting his supplements to previous motions), one motion to modify the decree of divorce and custody, a motion to modify visitation, three motions to show cause, and a motion for forensic psychological examination (of both parents and minor children at mother's expense). Defendant during the hearing before this court acknowledged that he has prevailed on none of his motions since the divorce. On January 29, 2010, plaintiff filed her complaint to have defendant declared a vexatious litigator pursuant to R.C. 2323.52. At issue is whether defendant should be declared a vexatious litigator.

Section 16 Article I, of the Ohio Constitution, requires that all courts be open. However, the principle of 'open courts' is not without its limitations. *Trumbull Mem. Hosp. v. Karnofel*, 11<sup>th</sup> Dist. No. 2008-T-0115, 2009-Ohio-1488, ¶21. The vexatious litigator statute, R.C. 2323.52, provides an exception to the "open courts" rule and has been held to be constitutional. *Id.* citing *Mayer v. Bristow* (2000), 91 Ohio St.3d 3, 2000-Ohio-0109, 740 N.E.2d 656, paragraph one of the syllabus. That statute requires the filing of a civil action in a court of common pleas to have a person declared to be a vexatious litigator. If such order is granted, it is possible to prohibit that person from filing pleadings without first obtaining leave of court. *Id.* citing R.C. 2323.52(D)(1). The objective of the statute is to prevent abusing the system by vexatious litigators who deplete judicial resources needed by others for the vindication of legitimate rights and who attempt to intimidate or cause emotional and financial decimation of their targets. *Mayer* at 13.

R.C. 2323.52(A) provides, in relevant part:

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

(a) \*\*\*\*

(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.

(3) "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 \*\*\*.

If a court of common pleas determines that a person is a vexatious litigator, it may enter an order requiring the person to obtain leave of court prior to proceeding with any civil legal actions. See, e.g., R.C. 2323.52(D)(1); *Joyce v. Godale*, 11<sup>th</sup> Dist. No. 2008-G-2817, 2009-Ohio-2439, ¶29-34. A vexatious litigator also is required to seek leave of a court of appeals prior to commencing or continuing any action on appeal. R.C. 2323.52(D)(3). *Id.* Filing of motions to harass an ex-wife in a domestic relations action can constitute vexatious litigation. *Farley v. Farley*, 10<sup>th</sup> Dist. No. 02AP-1046, 2003-Ohio-3185. The court must examine the conduct of the parties to determine at what point the quest for justice ceases, and the use of the legal system as a tool for punishment, harassment, coercion and intimidation of the other party begins. *Farley v. Farley* (1994), 97 Ohio App.3d 351, 357, 646 N.E.2d 875.

This court finds that defendant, through a variety of motions and other pleadings, has habitually, persistently and without reasonable cause filed harassing and malicious pleadings designed to intimidate and injure plaintiff. He has done this by persistent, frivolous misrepresentations of the law and facts of the case, by the sheer volume of pleadings that failed to conform with the law as to content and service, by meritless and unfounded motions designed to intimidate or stifle plaintiff, her attorney and the Lake County Domestic Relations Court, and by his endless and tedious reiteration of identical issues that the domestic relations court had already ruled on to his detriment. He has indicated that his efforts will continue until he succeeds. This court finds that defendant has gone beyond the bounds of aggressive litigation. In response to plaintiff's e-mails attempting to coordinate his visitation with the children and to inform him of events in the children's lives, he has made countless personal attacks upon plaintiff and her attorney questioning their personal life, morals and mental stability. Given the domestic relations court's prior rulings, defendant's unremitting conduct was not warranted and his continual raising of the same arguments and claims could not be done in good faith. As the following evidence shows, defendant used his pleadings to attack the domestic relations court, his former wife and her attorney. His tormenting of his former wife and anyone else he sees as aiding her has risen to the level of compulsiveness.

His motions and pleadings show persistent and frivolous misrepresentations of the law and facts. In an affidavit provided with his motion for a hearing before the judge filed on August 12, 2008, he stated "this divorce court is interfering with my ability to carry out my

God-ordained duty to my family and children, and further, that the court has failed to acknowledge and address the immoral, unethical, unfair nature of such activity. \*\*\* [the] court's actions are cruel and unusual, unjust, poorly-conceived, financially-absurd, unfair, unethical and abusive to the children of the targeted parent \*\*\*." In an affidavit provided with a Motion to Show Compliance" filed on March 9, 2009, defendant claimed "Parent (father) has continually and consistently objected, since activity's initiation, to state's court's invasion of and interference with and in his ecclesiastically-separate family and its longstanding and well-established parent-child bonds \*\*\*." In his "Motion for Court to Produce Evidence of Father's Ceding Authority" filed on March 17, 2009, defendant claimed he never knowingly or willfully granted or ceded to the state or to the court any authority or jurisdiction within his marriage or family. On the same date, defendant filed a "Motion for Court to Justify Forcing Parent into Position of Unsustainable Finances and Risk" in which in the enclosed affidavit, defendant stated "Father believes such activity of the court need to be identified for what it is; institutionalized evil." In another motion on that date (Motion for Court to Acknowledge Negligence in the Matter of the Best Interests of the Child(ren)), defendant stated that the court "should immediately cease its interference in the father's parental responsibilities and his parental rights." In an affidavit enclosed with an "Amended Motion to Show Cause" filed on April 13, 2010, defendant stated "For the record, Defendant remains of the firm belief that Parent-Child Bonds are not elements for any party to interfere with \*\*\*."

Many of his motions deny the authority of the Domestic Relations Court. In an affidavit to his "Motion to Modify Child Support Order; Urgent" filed on January 11, 2008, defendant stated "Petitioner affirms that he would not have acted to produce children if he believed there was any possibility that any County Court or any state entity, or arm of the state, or the State of Ohio or any State later would seize his children and permanently separate them from himself without just cause, as has been done by this Court." On another motion filed on March 17, 2009 (Motion for Court to Identify Areas Where It Has Not Damaged Family), he stated that the court invaded and interfered with the "purely ecclesiastical domain and affairs of the family" and stated that repentance of the state and its court would be proper and is awaited by him. He also requested restitution.

His rigid opposition to the divorce and actions of the Domestic Relations Court is succinctly stated in his e-mails to plaintiff. These e-mails were in response to straightforward listings of athletic and social events of the children by plaintiff. Throughout these e-mails, plaintiff refrained from vituperative or disparaging comments to defendant, a restraint not reciprocated by defendant. These e-mails clearly indicate his intention to continue his conduct in

the divorce action despite the prior decisions of the Domestic Relations Court. In an e-mail dated September 30, 2008, defendant wrote "Here's hoping I am not forced to watch when the Lord deals with the corrupt divorce attorneys and other destroyers of his families on Judgment Day. I am certain it will not be a pretty sight." In an e-mail dated April 11, 2009, he stated "I will not participate in this interference in my ecclesiastical duties to my family and my constitutional right to associate freely with my children, nor will I support the activity in any way." On May 4, 2009, he e-mailed "Remember to trust in the Lord Jesus, and not in your own ways which are not his." On August 30, 2009, he wrote to plaintiff "Remember, your number one responsibility in life according to God is to act as helper to your husband. \*\*\* What is the problem? You are so irresponsible it should embarrass you, with the damage you have done to your family." Later on November 19, 2009, defendant wrote "The damage you have done to the children is irreparable. Your selfishness rises to the sky. You are a destroyer. I just have to remember that the Lord God said, "Judgment is mine, I will repay". I believe he will. Praise the Lord. Come quickly Lord Jesus." Defendant's view of the divorce is well summarized in an e-mail dated February 16, 2010 to plaintiff in which he stated "Wives, submit yourselves unto your own husbands, as unto the lord. \*\*\* That about says it all, doesn't it, and it applies even after a statutory divorce action which is fraudulent and unrecognized before Christ. \*\*\* Remind your enabler [plaintiff's divorce attorney] that God says Judgment Day is coming."

The impetus for defendant's repetitive filings appears to be based on defendant's refusal to accept any personal responsibility in the disintegration of the marriage. This is reflected in many of his e-mails to his wife. On October 7, 2008, he e-mailed "This is your production, it is all on you. You alone are now responsible for the outcome." Two days later, he e-mailed "you are not a fit parent, and this court should never have forced me to give up my parental rights as they did." On December 29, 2009, he wrote "Shame on you and your wide-bodied, big-mouth legal prostitute enabler. You alone will answer for what you have done on Judgment Day before almighty God. I suggest you repent and fix the enormous damage you have inflicted on these innocent children for you own selfish perversions \*\*\*. Shame on you. - K. Lyons - the children's only real parent." On July 25, 2010, he wrote "Do you think God could possibly have a special hot corner of Hell reserved for those who abuse children in such a manner and remain unrepentant and unsaved." Defendant continues to assert plaintiff has mental problems. In an e-mail dated April 14, 2009, he wrote "I will be asking you in court to demonstrate that you have gotten mental health help in the best interests of the children, so go now and get started, before you do further harm. I intend to devote a full day to this sub-

ject in court. Please be prepared to show that you have done something about this problem.” This court notes that there is no evidence that plaintiff is unfit or deficient in any way. As previously mentioned, the children are thriving and well adjusted. Finally in an e-mail dated February 3, 2010, he wrote to plaintiff “you really should take stock of the destruction that has become your reason for existing. If I were you, I would be thinking about repentance, today.”

Defendant did not limit his attacks to his former wife but included her attorney. In a “Motion for Temporary Restraining Order” filed on January 12, 2009, defendant accused the attorney of utilizing his children’s labor and services in her personal service and to further her political ambitions. He requested the domestic relations court bar the attorney from discussing any aspects of the divorce with plaintiff when the children are in her company, even if the discussion is by phone. He requested that the attorney be barred from association of any type or duration with the children claiming that the attorney is responsible for the severe alienation of his children and the destruction of the parent-child bonds and the ecclesiastic structure of the marriage. This motion was denied on June 2, 2009. In a “Motion for Court to Stop Activity Causing Father’s Personal Destruction” filed on March 9, 2009, defendant in paragraph two of his affidavit claimed plaintiff’s attorney “is and was a known problem for my family” and that the attorney “is capable and willing to damage children, \*\*\* without remorse, for unknown reasons.” In paragraph three, he stated that the attorney “targeted me in what is believed to be an exceptionally-aggressive and damaging manner \*\*\* has damaged me in various ways including emotionally, physically and financially. \*\*\* It is my firm belief that [the attorney] as well as that of the court and/or certain of its officials and/or officers rises to the level of felony activity, \*\*\*.” In an e-mail to plaintiff dated July 27, 2009, defendant wrote “I suggest you cut the cord with and get away from this hack attorney you have befriended - she is going to get you into serious trouble with her irresponsible guidance.” Later on October 9, 2009, he e-mailed that the attorney “will not prevail, I assure you. How dare this immoral attorney continually assault the parent-child bonds that have existed between my children and myself. This person lacks any moral rudder and is clearly ethically-challenged. I know it was her idea for your to assault me repeatedly and threaten to take away my medical insurance while I was ill. This is a sick soul.”

Defendant also repeatedly attacked the domestic relations judge and court personnel. In the affidavit enclosed with his “Motion to Modify Child Support Order; Urgent” filed on January 11, 2008, he stated “Petitioner believes he has now been **ruined financially** by the actions of this court.” “By actions of the Court, Petitioner has been forced into imminent



harm's way, even rendered-unable to pay federal and state taxes dues and owing, and/or upcoming tax obligations." He stated that he has been terrorized by the court with the court essentially imposing a death sentence to a "legally innocent" father. On March 17, 2009 in his "Motion for Accountability" he claimed in his affidavit that court caused "continuous torment for affiant-father" and that its activity is egregious, outrageous and unfair. In paragraph one of this affidavit, he stated "That affiant (children's parent, being their father) has suffered greatly and continuously for over 2 ½ years under the forced-custodial oversight of court. \*\*\* including interference with affiant-father's ability to remain employed, interference with his access to employer's physical location; interference with his job performance \*\*\*; interference with his finances; \*\*\* interference with his residential access \*\*\* health care \*\*\*." In another motion (Motion for Court to Acknowledge Negligence in the Matter of the Best Interests of the Child(ren)), he alleged in paragraph seven of his affidavit that "The court and/or certain of its officers substantially-coerced wife to commit a crime for purposes of initiation of activity before and/or by the court, and maintained an environment within a government entity known to be friendly towards creation of crime(s) without proactive correction of such serious flaw." In a "Motion for Court to Demonstrate that Blindside Action with Forced Long-Term Separation is Not One-Sided and Unfair" on the same date, defendant stated "Defendant believes court has established a pattern of one-sided support favoring the plaintiff in most or all matters before the court \*\*\*." In his "Motion for Court to Justify its Egregious and Outrageous Conduct" he stated "With all due respect for the court, only deranged minds could devise and attach such a totality of terrorizing circumstances as this activity represents \*\*\*. Activity of the court clearly shocks the conscience." Finally in his Motion for Ex-Parte Funding of Parent's Defense Activity filed on the same date he stated in paragraph one of his affidavit "That I am in fear for my life from the activity of the LAKE COUNTY COURT OF COMMON PLEAS, DIVISION OF DOMESTIC RELATIONS \*\*\*." In paragraph two he stated "That activity executed by court and/or certain of its officials, officers, persons \*\*\* have pursued this parent in unrelenting manner utilizing threat(s), threat(s) of force and other techniques \*\*\* demonstrating ruthless disregard for the life and health of the parent-affiant \*\*\*. Activity demonstrates either intentional attempt to damage or negligence of an egregious and outrageous type, and shocks the conscience."

In his e-mails to plaintiff, defendant further shows his belief that the court, the attorneys and his former wife have participated in a conspiratorial effort to destroy his marriage and deprive him of his rightful role as head of the household. In an e-mail dated June 10, 2010, he stated "As usual, the innocent children will suffer as a result of the activity of these

operatives, while they make money for themselves. It is well established, in the best interests of judges and attorneys is how this legalized-theft operation works.” “These people are pathetic human beings, driven by money, self-interest and let’s not forget, self-aggrandizement.” On June 23, 2010, he e-mailed “First of all, the divorce court \*\*\* at Lake County is run unfairly and incompetently. She and her little court do not follow the intent of the Ohio Legislature, and in fact enable the damaging of children by people like you. You will all have to answer for your sins on Judgment Day. Your buddy, the legal genius, \*\*\* is included as well. If she believes that she can somehow escape judgment in her current state, she is entitled to believe it, but I assure you, she will have her beliefs changed in a shocking manner.” In a later e-mail that date he described the Domestic Relations Court judge as having an “absolutist, feminazi mindset.” In an e-mail dated August 4, 2009, he wrote “When you were blessed with a family, did the Lord God tell you to destroy it and limit the interaction between the children and your husband \*\*\*. You and your associates - [the Judge of the Domestic Relations Court and plaintiff’s divorce attorney] - the wayward women’s group as it were - may have to answer for what you have done at some point. Ask your pastor about this and get his perspective, why don’t you.”

While the defendant initially agreed to the Separation Agreement and did not appeal the Divorce Decree resulting from it, he has never ceased trying to overturn it. He has not accepted that the divorce decree was fair and just and maintains that he was the object of a nefarious conspiracy by plaintiff, her divorce attorney and the magistrates and judge of the Lake County Domestic Relations Court. Seeking an outcome in accordance with his personal wishes, he has filed numerous, duplicative motions and has indicated that he will continue to do so. Many of his motions failed to conform with the law as to content or to service. In an e-mail to plaintiff dated October 9, 2009, he best stated his intent. He wrote “You have left me no choice but to continue to seek relief for the children and myself in the court. This was your chosen venue, not mine but it looks like I will be forced by you to continue returning there for the foreseeable future on a number of related issues. \*\*\* Otherwise I intend to nose-down in the court, regardless of how much time is required. I am motivated and looking forward to the challenge. It is a matter of principle, and I am acting for the children.” Later in this e-mail, he stated “I will pursue this until equity results, and so we will continue to go back to court. As you told me earlier, “I’ll see you in court.” You will.”

Since the divorce, defendant has acted accordingly. He has filed six motions to modify child support (not counting his supplements to his motions and a request for administrative adjustment), two motions to modify the decree of divorce, two motions for custody modification


(not counting a supplement), six motions to show cause, a motion to vacate the divorce decree and a "Motion for Court to Simply Start Over and Correct Errors." He has filed numerous motions asking the domestic relations court to justify its activities. He has filed at least two of the following motions: "For Court to Explain Its Activity As It Relates to Law, Justice, Truth and "Best Interests;" "To Restore Damaged Bonds Between Children and Father;" "To Justify Activity Separating Parent from Critical Life Support;" "To Justify Forcing Parent Into Position of Unsustainable Finances and Risk;" "To Correct Court's Understanding and To Request It Stop One-Sided Support of Plaintiff Damaging Children, Their Family, Bonds and Father;" "To Prioritize Motions;" and "For Court To Read, Hear & Respond To Each Motion." Other motions that are not founded in the law or civil procedure include: "Motion for Court to Show Righteousness;" "Motion for Court to Demonstrate Compliance;" "Motion for Court to Show Support for Equal Standing;" "Motion for Court to Restore and Compensate for Confiscated Rights;" "Motion for Accountability (in which he accused the court of "felony activity");" "Motion for Court to Stop Activity Causing Father's Personal Destruction;" "Motion for Court to Recognize Parent's Claim to Facts;" "Motion for Court To Stop Use of Element of Time Against Ill Parent Immediately;" and "Motion to Provide Proof of Jurisdiction." He has also filed three motions for "Ex-Parte Funding of Parent's Defense Activity." In his motion filed on March 9, 2009, he asked the court to invoice plaintiff and her attorney for 8,500 hours of pro se defense work, an indication of the effort defendant put in his motions to the court. As previously mentioned, he acknowledged that he has succeeded on none of these motions. It is also uncontested that plaintiff has incurred substantial legal expenses defending against some of these motions.

This court declares defendant Kevin Lyons to be a vexatious litigator. Pursuant to R.C. 2323.52(D)(1)(a), defendant Kevin Lyons is prohibited from instituting any legal action against plaintiff Anne Lyons or her attorney in any Ohio court of common pleas, municipal court or county court without first obtaining leave of the Domestic Relations Division Judge of the Lake County Common Pleas Court if the action is part of or related to Case No. 06 DR 000408 or to this court if the action concerns other issues. Additionally, under R.C. 2323.52(D)(1)(b), defendant Kevin Lyons is barred from continuing any proceedings currently pending in the Lake County Domestic Relations Court against plaintiff Anne Lyons or her attorney without first obtaining leave of the Domestic Relations Division Judge of the Lake County Common Pleas Court. Finally, defendant Kevin Lyons is also barred from making any application against plaintiff Anne Lyons or her attorney, other than one for leave to proceed, in any legal proceeding, pursuant to R.C. 2323.52(D)(1)(c) without first obtaining leave

of the Domestic Relations Division Judge of the Lake County Common Pleas Court if the action is part of or related to Case No. 06 DR 000408 or to this court if the action concerns other issues. Defendant Kevin Lyons may not institute legal proceedings in a court of appeals without first obtaining leave of the court of appeals to proceed pursuant to R.C. 2323.52(D)(3) and R.C. 2323.52(F)(2).

Costs are assessed against defendant Kevin Lyons.

**IT IS SO ORDERED.**



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RICHARD L. COLLINS, JR.  
Judge of the Court of Common Pleas

Copies:

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Lake County Domestic Relations Court

Legal Appellate Group  
Class to serve  
proceeding to  
2323.52(D)(3)  
2323.52(F)(2)