

**CERTIFICATE OF COUNSEL**

I hereby certify that this petition for rehearing is presented in good faith and not for delay.

Respectfully submitted,

Brandon Bowie

BRANDON L. BOWIE

1608 Brentnell Ave.

Columbus, Ohio 43219

614-499-7831

NDVIEW FAMILY PRACTICE  
1550 W. 5TH AVENUE  
COLUMBUS, OHIO 43212-2473

TELEPHONE: (614) 488-7929

FAX: (614) 488-0226

CHARLES B. MAY D.O.  
STEPHEN ALTIC, D.O.

HILARY McCORD, PA-C  
COURTNEY ROLAND, PA-C

January 12, 2017

Brandon Bowie  
921 N. Nelson Rd.  
Columbus, Ohio 43219

DOB: 10/22/1986

Dear Mr. Bowie:

You have been under my care for a number of years for an industrial injury that resulted in ulnar nerve entrapment thoracic outlet syndrome and left shoulder/scapular dyskinesia. These conditions continue to impair the function in your left arm with vascular impairment as well as neurologic impairment referable to the ulnar nerve. This has resulted in some muscular issues for you as well and strength loss in the left arm. I had previously indicated that you should limit your driving to no more than 20-30 miles at a time and certainly commercial driving at less than 20 miles. It is my understanding you have been required to show up personally for hearings in Cincinnati relative to issues regarding child support. It is my opinion that your neurologic and vascular problems in the left arm limit your ability to drive as I have stated above. It might be more beneficial for you, therefore, to be able to have videoconferencing or hearings by way of video.

Sincerely,



Stephen Altic, D.O.

# HAMILTON COUNTY JUVENILE COURT

IN RE:

Case No. F11-803 X

ALAYAH BOWIE  
ARIELLE BOWIE

## Decision of Magistrate

This matter came to be heard on the Motion for Contempt of Visitation Order herein filed by MAYA AUSTELL, Mother, on 04/13/2016. Also for hearing this day is a Motion to Modify the Prior Court Order of Visitation herein filed by MAYA AUSTELL, Mother, on 04/13/2016. In addition, a Motion for Contempt of Visitation Order herein filed by BRANDON BOWIE, Adjudicated Father, on 06/17/2016 is before the Court. In addition, a Motion to Modify the Prior Court Order of Visitation herein filed by BRANDON BOWIE, Adjudicated Father, on 09/22/2016 is before the Court. Attorney Hunt for Pro Kids. Ms. Langenkamp GAL.

Attorney for MAYA AUSTELL is Hartke. Attorney for BRANDON BOWIE is Whitfield.

All evidence and testimony has been presented to the Court.

The Court's prior order of visitation is hereby modified as follows:

Father's motion to waive his appearance is granted. The motion to appear via telephone or video teleconferencing is denied, as this would interfere with the ability of the court to properly observe and assess the credibility of Mr. Bowie.

Ms. Austell is willing to stipulate to the interim orders of the court of 1/6/2017 and 3/13/2017.

Accordingly, visitation shall occur in Hamilton County, Ohio. Father must give notice of his intention to exercise weekend visitation by 10:00 pm the preceding Tuesday. Failure to provide notice will result in forfeiture of the visit.

Turning now to the issue of contempt, testimony taken and concluded. Ms. Austell contends that Mr. Bowie violated the court order of 8/8/2013 by failing to return the twins as scheduled. For Christmas 2015, Mr. Bowie was entitled to have the children from 10 am to 5 pm Christmas Day. Instead, Mr. Bowie kept the children until 1/3/2016. The court finds that Mr. Bowie did not give proper notice to exercise extended visitation time and finds that he willfully violated an order of the court by failing to return the children by 5pm Christmas Day. Mr. Bowie is in contempt of the order of this court. He is fined \$100 per day for 12/26/2015-1/3/2017 for a total of \$900. Said amount is to be paid directly to mother or through her attorney no later than 12/20/2017 6:00pm.

An award of reasonable attorney fees is in order, however, there is no evidence as to the number of hours or hourly rate.

With regard to the request for a finding of contempt against Mr. Bowie for breaking watch phones purchased by Ms. Austell and damaged while the children were in the care of father, there is no order of the court that address damage to the property of the children. Jurisdiction over his issue does not lay with the juvenile court.

CD # 610

Magistrate Catherine Kelley  
June 20, 2017

I have received a copy of the Decision of Magistrate and therefore waive service by the Clerk.

The Magistrate's Decision is hereby approved and entered as the judgment of the Court.

Judge



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Objection of Magistrate's Decision

Any party may file written objections to a Magistrate's Decision within 14 days of the filing of the decision. A party shall not assign as error on appeal the Court's adoption of any factual finding or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Civ. R. 53(D)(3)(a)(ii), unless the party timely and specifically objects to that factual finding or legal conclusion as required by Civ. R. 53(D)(3)(b).

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# HAMILTON COUNTY JUVENILE COURT

IN RE:

Case No. F11-804 X

JALEYA BROWN

Decision of Magistrate

This matter came to be heard on the Motion for Contempt of Visitation Order herein filed by JACOLE BROWN, Mother, on 04/13/2016. Also for hearing this day is a Motion to Modify the Prior Court Order of Visitation herein filed by JACOLE BROWN, Mother, on 04/13/2016. In addition, a Motion for Contempt of Visitation Order herein filed by BRANDON BOWIE, Adjudicated Father, on 06/17/2016 is before the Court. In addition, a Motion to Modify the Prior Court Order of Visitation herein filed by BRANDON BOWIE, Adjudicated Father, on 09/22/2016 is before the Court. Attorney Hunt for Pro Kids. Ms. Langenkamp GAL.

Attorney for JACOLE BROWN is Hartke. Attorney for BRANDON BOWIE is Whitfield.

All evidence and testimony has been presented to the Court.

It is hereby ordered that visitation between BRANDON BOWIE and JALEYA BROWN born 07/22/2009 be as follows.

Father's motion to waive his appearance is granted. The motion to appear via telephone or video teleconferencing is denied, as this would interfere with the ability of the court to properly observe and assess the credibility of Mr. Bowie.

Ms. Brown is willing to stipulate to the Interim orders of the court of 1/6/2017 and 3/13/2017.

Accordingly, visitation shall occur in Hamilton County, Ohio. Father must give notice of his intention to exercise weekend visitation by 10:00 pm the preceding Tuesday. Failure to provide notice will result in forfeiture of the visit.

Turning now to the issue of contempt, testimony taken and concluded. Ms. Brown contends that Mr. Bowie violated the court order of 8/8/2013 by failing to return the child as scheduled. For Christmas 2015, Mr. Bowie was entitled to have the child from 10 am to 5 pm Christmas Day. Instead, Mr. Bowie kept the child until 1/3/2016. The court finds that Mr. Bowie did not give proper notice to exercise extended visitation time and finds that he willfully violated an order of the court by failing to return the child by 5pm Christmas Day. Mr. Bowie is in contempt of the order of this court. He is fined \$100 per day for 12/26/2015-1/3/2017 for a total of \$900. Said amount is to be paid directly to mother or through her attorney no later than 12/20/2017 6:00pm.

An award of reasonable attorney fees is in order, however, there is no evidence as to the number of hours or hourly rate.

Dismiss motions currently pending that were filed by father.

CD # 610

Magistrate Catherine Kelley  
June 20, 2017

I have received a copy of the Decision of Magistrate and therefore waive service by the Clerk.

The Magistrate's Decision is hereby approved and entered as the judgment of the Court.

Judge

## Objection of Magistrate's Decision

Any party may file written objections to a Magistrate's Decision within 14 days of the filing of the decision. A party shall not assign as error on appeal the Court's adoption of any factual finding or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Civ. R. 53(D)(3)(a)(ii), unless the party timely and specifically objects to that factual finding or legal conclusion as required by Civ. R. 53(D)(3)(b).



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## HOW TO APPEAR TELEPHONICALLY OR VIA VIDEO CONFERENCE

If you have an upcoming hearing and you would like to request to appear via telephone or videoconferencing, please complete DR 8.1(B) and DR 8.1(C) and submit to the court for review. The most efficient way to submit this request is via electronic filing. Follow this link to establish an e-filing account:

<https://www.courtclerk.org/forms-filings/e-filing/>

If you cannot establish an e-filing account, you may mail or drop off the required documents to the Hamilton County Domestic Relations Court, Attn: Docket Office, F Broadway, Cincinnati, OH 45202.

### VIDEOCONFERENCE

Hamilton County Domestic Relations Court has chosen to utilize Zoom videoconferencing software for video hearings. A basic Zoom license to participate in a video hearing does not have to establish an account if you are strictly joining Zoom meetings as a participant. On some devices, like phones and tablets, you will need to download it in advance.

The Court will send you an email that contains a link. Five minutes before the hearing, click on the link in the email and you will be connected. If you are unfamiliar with the program, the following links will give you an understanding of how the program works.

For information about **acquiring and installing Zoom** videoconferencing software click [here](#).

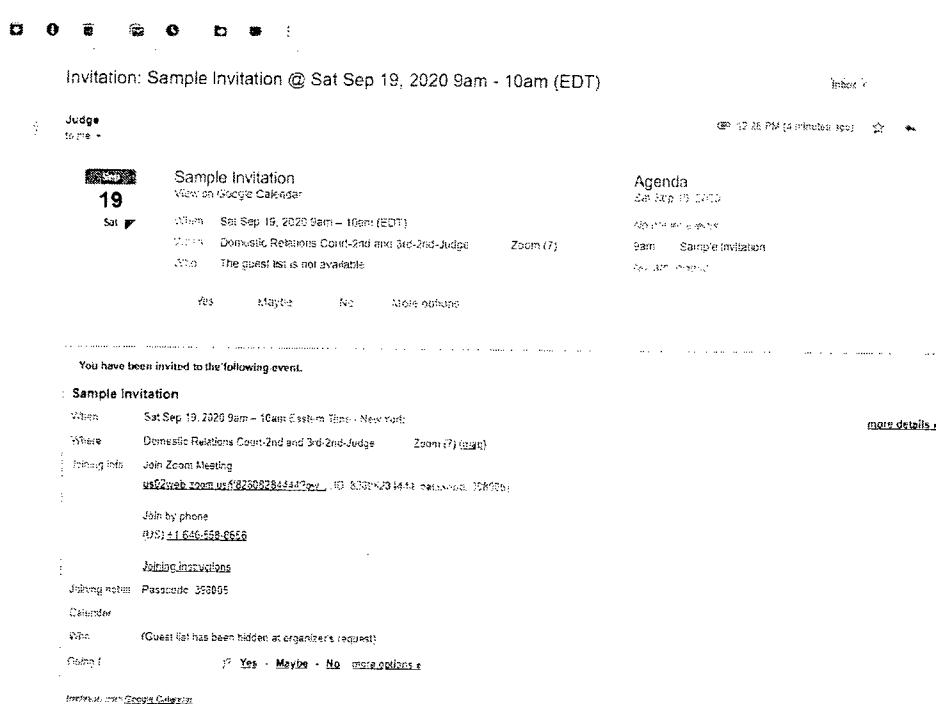
To **learn how to use Zoom** on a PC or MAC, click [here](#).

For information about **joining a meeting**, click [here](#).

For a complete list of **Zoom training video tutorials** click [here](#).

Best Practices for Virtual Court Appearances via Video or Telephone

The following is a sample videoconference invitation in a Gmail inbox. If you do not find an email, check your calendar to see if the event is saved there.



### TELECONFERENCE

If the Court orders a telephonic hearing, the plaintiff or defendant is directed to coordinate a conference call with all parties and then call 513-946-9101 to be connected to the **Magistrate**.

If the Court orders a telephonic hearing, the plaintiff or defendant is directed to coordinate a conference call with all parties and then call 513-946-9024 or 513-946-9101 to be connected to the **Administrative Judge Jon Sieve**.

If the Court orders a telephonic hearing, the plaintiff or defendant is directed to coordinate a conference call with all parties and then call 513-946-9031 or 513-946-9101 to be connected to the **Judge Amy Searcy**.

- If the Court orders a telephonic hearing, the plaintiff or defendant is directed to coordinate a conference call with all parties and then call 513-946-9016 or 513-946-9017. Judge Susan L Tolbert.

No. 20-7814

IN THE

SUPREME COURT OF THE UNITED STATES

Brandon Bowie – Petitioner

VS.

Hamilton County Juvenile Court, et al – Respondent(s)

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed in forma pauperis in the following court(s):

Petitioner has not previously been granted leave to proceed in forma pauperis in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is not attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: ,

The appointment was made under the following provision of law: \_\_\_\_\_

, or

a copy of the order of appointment is appended.

Brandon Bowie  
(Signature)

**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

I, Brandon Bowie, am the petitioner in the above-entitled case. In support of my motion to proceed in forma pauperis, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Self-employment	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Income from real property (such as rental income)	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Interest and dividends	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Gifts	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Alimony	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Child Support	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Disability (such as social security, insurance payments)	\$ <u>794</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Unemployment payments	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Public-assistance (such as welfare)	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>
Other (specify):	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>	\$ <u>n/a</u>

Total monthly income: \$794 \$ n/a \$ n/a \$ n/a

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.) N/A – Disabled since 2010

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.) N/A

4. How much cash do you and your spouse have? \$0.00

Below, state any money you or your spouse have in bank accounts or in any other financial Institution.

Type of account	Amount you have	Amount spouse has
<u>Checking</u>	\$0.00	n/a

5. List the assets and their values which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home – n/a	Other real estate– n/a
Don't own a home	Don't own any property
Value	Value

Motor Vehicle #1 – n/a	Motor Vehicle #2 – n/a
Don't own a vehicle	Don't own a vehicle
Value	Value

Other assets – n/a
Description
Value

6. State every person, business, or organization owing you and your spouse money and the amount owed. N/A

7. State the persons who rely on you and your spouse for support. For minor children, list initials instead of names.

Name	Relationship	Age
<u>B. B.</u>	<u>son</u>	<u>14</u>

8. Estimate the average monthly expenses of you and your family. Show separately the amounts Paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Spouse
Rent	<u>\$157</u>	<u>\$ n/a</u>
Real estate taxes included	<u>yes</u> <u>x</u> <u>no</u>	
Property insurance included	<u>yes</u> <u>x</u> <u>no</u>	
Utilities (electricity, heating fuel, water, sewer and telephone)	<u>\$125</u>	<u>\$ n/a</u>
Home maintenance - landlord	<u>\$ n/a</u>	<u>\$ n/a</u>
Food	<u>\$125</u>	<u>\$ n/a</u>
Clothing	<u>\$50</u>	<u>\$ n/a</u>
Laundry and dry cleaning	<u>\$10</u>	<u>\$ n/a</u>
Medical and dental expenses	<u>\$0</u>	<u>\$ n/a</u>
Transportation	<u>\$ 50</u>	<u>\$ n/a</u>
Recreation	<u>\$50</u>	<u>\$ n/a</u>
Home Owner/ Renter Insurance	<u>\$ n/a</u>	<u>\$ n/a</u>
Life Insurance	<u>\$ n/a</u>	<u>\$ n/a</u>
Motor Vehicle Insurance	<u>\$ n/a</u>	<u>\$ n/a</u>
Taxes	<u>\$ n/a</u>	<u>\$ n/a</u>
Installment payments		
Motor Vehicle	<u>\$ n/a</u>	<u>\$ n/a</u>

Credit Cards	\$ <u>n/a</u>	\$ <u>n/a</u>
Department Store	\$ <u>n/a</u>	\$ <u>n/a</u>
Other	\$ <u>n/a</u>	\$ <u>n/a</u>
Alimony, maintenance & support paid to others	\$ <u>n/a</u>	\$ <u>n/a</u>
<b>Total Monthly Expenses</b>	<b>\$ 567</b>	\$ <u>n/a</u>

9. Do you expect any major changes to your monthly income or expenses in your assets or liabilities during the next 12 months?

Yes  No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying an attorney any money for services in connection with this case, including the completion of this form?  Yes  No

If yes, how much? \_\_\_\_\_

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying --anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes  No

If yes, state the person's name, address, and telephone number.

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 7/9/2021, 2021

Brandi Zoufe  
(Signature)