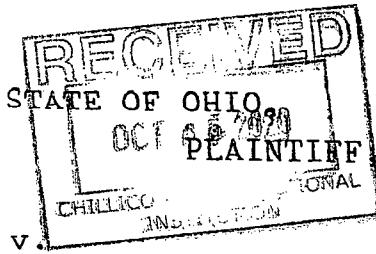


(3)

IN THE FIRST DISTRICT COURT OF APPEALS  
HAMILTON COUNTY, OHIO



COPY FILED  
CLERK OF COURTS  
HAMILTON COUNTY

SEP 29 2020

AFTAB PUREVAL  
COMMON PLEAS COURTS

: CASE No. B1304393

:  
: Judge Dinkelacker

:  
:  
:  
:  
:

DANIEL LITTLEPAGE,  
DEFENDANT.

AFFIDAVIT OF INDIGENCE

The undersigned, Daniel Littlepage, after being first duly cautioned and sworn, does affirm that the following are true to the very best of my knowledge:

- 1) I am a inmate at Chillicothe Correctional Institution, in the County of Ross, State of Ohio, and that I am without the necessary funds with which to pay the costs of this action;
- 2) I am truly indigent earning only \$20.00 per month which covers my hygiene, and over the counter medications and other basic essentials, leaving me with insufficient funds for the cost of this action.

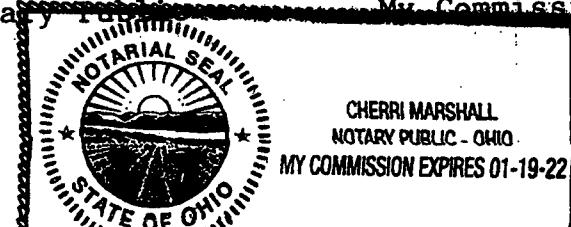
Daniel Littlepage  
DANIEL LITTLEPAGE

Sworn To And Subscribed In My Presence This 9th Day Of  
September, 2020.

Cherri Marshall

11/19/2022

Signature Of Notary Public  
My Commission Expires On



APPENDIX A

IN THE FIRST DISTRICT COURT OF APPEALS  
HAMILTON COUNTY, OHIO

STATE OF OHIO, :  
PLAINTIFF, : CASE NO. B1304393  
V. :  
: MOTION FOR SUMMARY  
DANIEL LITTLEPAGE, : JUDGMENT  
DEFENDANT. :  
:

---

MOTION FOR SUMMARY JUDGMENT

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Now comes the Defendant, Daniel Littlepage, and Respectfully moves this Court, pursuant to Rule 56 of The Ohio Rule of Civil Procedure, for Summary Judgment on the ground that there are No genuine issues to be disputed by the state in Defendant's properly filed "Motion To Vacate Judgment Of Conviction Due To Structural Error Pursuant To The Due Process Clause Of The Fifth and Fourteenth Amendments To The United States Constitution" and that Defendant, Daniel Littlepage, is Entitled to Judgment in his favor as a matter of Law.

The basis of this motion is set out more fully in the following Memorandum.

Respectfully Submitted,

  
Daniel Littlepage  
A697296 / Pro Se  
P.O. Box 5500  
Chillicothe, Ohio 45601

MEMORANDUM

[¶1] On May 13, 2020, Defendant, Daniel Littlepage, filed with The Court Of Common Pleas a "Motion To Vacate Judgment Of Conviction Due To 'Structural Error' Pursuant To The Due Process Clause Of The Fifth And Fourteenth Amendments To The United States Constitution." The filing of this Motion is supported by the "Time Stamped" copy received by Defendant, Daniel Littlepage, from the Clerk of Court's office and the Docket.

[¶2] As of this filing, September 4, 2020, No response or attempt at response has been made by either the Court Of Common Pleas or the Prosecutor's Office.

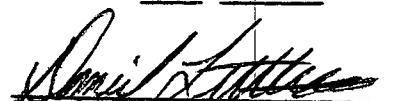
[¶3] Two Copies of the "Motion To Vacate Judgment Of Conviction Due To 'Structural Error' Pursuant To The Due Process Clause Of The Fifth And Fourteenth Amendments To The United States Constitution" were sent to the Prosecutor's Office, One by Defendant, Daniel Littlepage, and the Second one by the Clerk of Court's office, labeled "Prosecutor's Copy."

[¶4] The State is Past its 120 Day window to respond and No Extension of time has been requested.

[¶5] So the Motion For Summary Judgment In The Defendant's Favor Is Appropriate.

[¶6] Even though this "Structural Error" was Committed by a "Corrupt Officer Of The Court," Judge Norbert A. Nadel, It Still Has To Be Responded To.

[¶7] The Defendant petitions this Court for Summary Judgment and to Grant relief sought in the Original Motion of a New Trial.

  
\_\_\_\_\_  
Daniel Littlepage  
A697296 / Pro Se  
P.O. Box 5500  
Chillicothe, Ohio  
45601

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion For Summary Judgment was delivered and filed at the Clerk Of Courts, located at 230 East Ninth Street, Cincinnati, Ohio 45202.

Respectfully Submitted,



Daniel Littlepage

A697296

P.o. Box 5500

Chillicothe, Ohio 45601

Copy Sent To:

Hamilton County Prosecutor  
230 East Ninth Street  
Cincinnati, Ohio 45202

IN THE COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

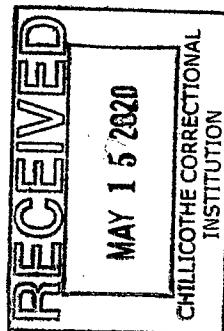
TIME STAMP AND  
RETURN

STATE OF OHIO,

PLAINTIFF,

v.

DANIEL LITTLEPAGE,  
DEFENDANT.



CASE No. B1304393

ADMINISTRATIVE JUDGE

---

MOTION TO VACATE JUDGMENT OF CONVICTION DUE TO "STRUCTURAL ERROR"  
PURSUANT TO THE Due Process Clause Of The Fifth And Fourteenth  
AMENDMENTS TO THE UNITED STATES CONSTITUTION

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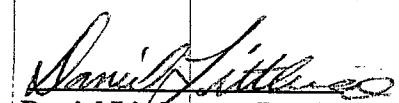
Now Comes Defendant, Daniel Littlepage, in propria persona, and hereby moves this Court to Grant his Motion To Vacate Judgment Of Conviction Due To "Structural Error" Pursuant To The Due Process Clause Of The Fifth And Fourteenth Amendments To The United States Constitution in the above captioned case. This case is filled with a litany of statutory defects and constitutional infirmities and as there is clear existing law to correct a manifest injustice, the motion herein is appropriate and is Not About Any APPEAL.

Defendant will set forth reasons in the attached Memorandum in Support made part hereof and therein.

Respectfully submitted,

COPY FILED  
CLERK OF COURTS  
HAMILTON COUNTY

MAY 13 2020  
AFTAB PUREVAL  
COMMON PLEAS COURTS

  
Daniel Littlepage, Pro Se  
697296  
15802 State Route 104 North  
Chillicothe, Ohio 45601

MEMORANDUM IN SUPPORT

{¶ 1} Defendant, Daniel Littlepage, had a Due Process right to be tried by an Impartial Judge. Tumey v. Ohio, 273 U.S.510 (1927).

{¶ 2} Due Process requires that a criminal defendant be tried before an Impartial Judge. State v. Lamar, 95 Ohio St.3d 181, (2002).

{¶ 3} The right of an accused to be presided over by a Fair and Impartial Judge is a Basic Right of Due Process and Equal Protection. Tumey v. Ohio, 273 U.S.510 (1927); In Re Murchinson, 349 U.S. 136 (1955); Ward v. Village, of Monroeville, 409 U.S.57 (1972).

{¶ 4} A state Judge is a state judicial officer, Paid (Emphasis Added) by the state to Act Impartially and Lawfully. A Judge Is Not The Court. People v. Zajic, 88 Ill. App.3d 477, 410 N.E.2d 626 (1980).

{¶ 5} As the Evidence Herein Exhibit "A" against judge Norbert A. Nadel Proves, Defendant, Daniel Littlepage, was tried before a Biased and Partial Judge who thought he himself was Above The Law.

{¶ 6} "The court can only be effective, fair, and just if it is allowed to function as the law prescribes." State v. Lamar, 95 Ohio St.3d 181 (2002).

{¶ 7} Every Judge is Required to take an Oath prior to each term of office in a form prescribed by R.C. 3.23:

I, (name), do solemnly swear that I will support the constitution of the united states and the Constitution of Ohio, will administer justice without respect to persons, and will Faithfully and Impartially discharge and perform all of the duties incumbent upon me as a Judge according to the best of my ability and understanding. [This I do as I shall unto God].

{¶ 8} As Exhibit "A" Proves, Judge Norbert A. Nadel Failed Miserably at upholding his Sworn Duty in Defendant, Daniel Littlepages, case under R.C. 3.23. Once Judge Norbert A. Nadel Thought Out, Wrote Out, and Executed Exhibit "A" Herein, Without Authority and Jurisdiction, with the help of others, Judge Norbert A. Nadel Indisputably Proved That He Was Bias, Prejudicial and Partial Against Defendant, Daniel Littlepage, From The Original Proceedings and Beyond. Exhibit "A" Is "STRUCTURAL ERROR" Of The Worst Kind And Is Solid Grounds For AUTOMATIC REVERSAL" Of Defendant, Daniel Littlepages Case. This is stated by the United States Supreme Court in Arizona v. Fulminante, 499 U.S.279 (1991); citing Tumey v. Ohio, 273 U.S.510 (1927).

{¶ 9} So the court stays focused, Exhibit "A" is Not (Emphasis Added) about any APPEAL. Exhibit "A" and this properly filed MOTION TO VACATE JUDGMENT OF CONVICTION DUE TO "STRUCTURAL ERROR" PURSUANT TO THE DUE PROCESS CLAUSE OF THE FIFTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION is all about the Criminal Behavior and the Criminal Mindset of a Corrupt Officer of the Court that proves his Bias, Partiality, and Corrupt Activity Existed in Defendant, Daniel Littlepages, Original Proceedings and beyond and Entitles Defendant, Daniel Littlepage to a New Trial. Arizona v. Fulminate, 499 U.S. 279(1991); citing Tumey v. Ohio, 273 U.S. 510 (1927); Edwards v. Balisok, 520 U.S. 641 2d (1997).

{¶ 10} The Oath represents the Judge's solemn and personal vow that he or she will Impartially perform all duties incumbent on the office and do so without regard to the status or class of persons or parties who come before the court. The Oath is a Reflection of the self-evident principle that the Personal, Moral, and Religious beliefs of a Judicial Officer Should Never factor into the performance of Any Judicial Duty. Mississippi Judicial Performance Com'n v. Hopkins, 590 So.2d 857, 862 (Miss. 1991). It's clear from the Criminal Behavior that went into Exhibit "A" herein against Defendant, Daniel Littlepage, by Judge Norbert A. Nadel that the Oath he took, and the Robe he wore, meant nothing.

{¶ 11} When a Judge takes the Oath of Office, "He or She yields the prerogative of executing the Responsibilities of the office on any basis other than Fair and Impartial and Competent application Of the law..." Mississippi Judicial Performance Com'n v. Hopkins, 590 So.2d 857, 862 (Miss. 1991).

{¶ 12} Jud. Cond. R.1.1 Requires a Judge to comply with the Law. A Judge is always required to comply with the Law and has a Higher Duty than ordinary citizens to comply. Disciplinary Counsel v. Conner, 105 Ohio St.3d 100, 2004-Ohio-6902 (2004).

{¶ 13} The Criminal Behavior that went into Exhibit "A" herein by Judge Norbert A. Nadel goes way beyond Bias, Judicial Bias, Prejudice, and Partiality. It was done Intentionally, "Under The Color of Law," "Under The Color of Office" and is Definitely "Structural Error" Requiring Automatic Reversal of Defendant, Daniel Littlepages, Judgment of Conviction and more. Arizona v. Fulminate, 499 U.S. 279 (1991).

{¶ 14} Moving forward with the Bias, Judicial Bias, Prejudice, Partiality, and Corruption, among a number of other things that Exhibit "A" stands for in Defendant, Daniel Littlepages, case that constitutes "Structural Error" and "Automatic Reversal," it is important to state what the United

States Supreme Court Identifies as “Structural Error” and requires “Automatic Reversal” of cases. {¶ 15} “Structural Errors” are Constitutional Defects that Defy “Harmless Error” Analysis because they affect the entire Framework within which a Trial Proceeds, rather than simply being an error in the Trial Process itself. State v. Perry, 101 Ohio St.3d 118, 2004 Ohio 297, 802 N.E.2d 643, at ¶ 17; Arizona v. Fulminante, 499 U.S.279, 309-310, 111 S.Ct. 1246, 113 L.Ed.2d 302 (1991). Therefore, these Errors are not subject to the “Harmless Error Rule,” and you do Not Have to Prove to The Court That You Were Actually Harmed. Arizona v. Fulminante, 499 U.S.279, 310, 111 S. Ct. 1246, 1265, 113 L. Ed.2d 302, 332 (1991) (“[S]tructural defect[s] affect the framework within which the trial proceeds, rather than simply . . . error[s] in the trial process.”).

{¶ 16} The United States Supreme Court’s precedents [Have] determin[ed] that certain errors are deemed structural and require reversal because they cause fundamental unfairness, either to the defendant in the specific case or by pervasive undermining of the systemic requirements of a fair and open judicial process. . . . Tumey v. Ohio, 273 U.S. 510, 535 (1927) (Biased Judge”); Neder v. United States, 527 U.S. at 8 (“Biased Trial Judge” is “Structural [Error],” and thus is subject to Automatic Reversal”); Edwards v. Balisok, 520 U.S. 641, 647 (1997) (“A criminal defendant tried by a partial judge is entitled (Emphasis Added) to have his conviction set aside, no matter how strong the evidence against him.”); Johnson v. United States, 520 U.S. 461, 469 (1997); Sullivan v. Louisiana, 508 U.S. at 279; Rose v. Clark, 478 U.S. 570, 577-578 (1986); Tumey v. Ohio, 273 U.S. 510, 523 (1927).

{¶ 17} “Judicial Biased” as defined by the Supreme Court “Implies a hostile feeling or spirit of ill will or undue friendship or favoritism toward one of the litigants or his attorney, with the formation of a fixed anticipatory judgment on the part of the judge, as contradistinguished from an open state of mind which will be governed by the law and the facts.” If the Record Indicates That the Trial Was Affected By Judicial Bias (Which Exhibit “A” Indisputably Proves Defendant, Daniel Littlepages, Trial Was), The Remedy Is a New Trial. State v. Dean, 127 Ohio St.3d 140, 2010-Ohio-5070, 937 N.E.2d 97. “The presence of a Biased Judge” is Structural Error, which if Demonstrated, Requires Reversal. Exhibit “A” herein indisputably proves Bias and Structural Error and has been Demonstrated by the Illegal Creation of the Fraudulent / Corrupt Document / Order Issued with No Authority, Jurisdiction, or Immunity by a Corrupt Judge and Requires Reversal.

{¶ 18} “Partial” as defined by the Supreme Court “Implies favoring one person, faction, etc. more than another; Biased; Prejudiced.”

{¶ 19} Courts have **Repeatedly Held** that **Positive Proof of the Partiality of a Judge is Not a Requirement, only (Emphasis Added) The Appearance of Partiality.** Liljeberg v. Health Service Acquisition Corp., 486 U.S. 847, 108 S. Ct. 2194 (1988) (What matters is not the reality of Bias or Prejudice but its Appearance); United States v. Balistreri, 779 F.2d 1191 (1985). Again, Exhibit “A” herein is right on point with Bias, Prejudice, and Partiality by Judge Norbert A. Nadel against Defendant, Daniel Littlepage, and Supports Structural Error and Requires Automatic Reversal.

{¶ 20} When Common Pleas Judge Norbert A. Nadel, decided to **Impersonate** that he had **Appellate Court Authority and Jurisdiction**, to rule on Defendant, Daniel Littlepage's, Appeal, that was addressed to the Appellate Court, Judge Norbert A. Nadel lost his **Immunity under Title 28 U.S.C. Section 47** which when Read is **Clear** and to the Point and states the following: “**No Judge Shall Hear or Determine an Appeal from The Decision of a Case or Issue Tried by Him.**” It doesn’t get any clearer than this, but still Judge Norbert A. Nadel and his colleagues did not think this applied to him as Exhibit “A” herein **Proves**.

{¶ 21} The higher courts should agree that any judge, after the original proceedings of a defendant, that Forges a Fraudulent Document as Judge Norbert A. Nadel did herein **Exhibit “A”** behind the courts back and against Defendant, Daniel Littlepage's, Due Process Rights under the Fifth and Fourteenth Amendments of the United States Constitution, is Corrupt and committed “Structural Error.”

{¶ 22} No Individual should have to Suffer or be subjected to this type of Corrupt behavior by a Judge who took an Oath to be Fair and Impartial. But, Judge Norbert A. Nadel showed, in Defendant, Daniel Littlepage's, case that he had a different agenda. Defendant, Daniel Littlepage, believed he would have a Fair Trial in front of an Unbiased and Impartial judge and was robbed of the Basic Due Process Rights under the Fifth and Fourteenth amendments of the United States Constitution by Corrupt Judge Norbert A. Nadel.

{¶ 23} The Supreme Court of Ohio stated, “It is well [-] settled that a criminal trial before a Biased Judge is Fundamentally Unfair and Denies a Defendant Due Process of law.” State v. Lamar, 95 Ohio St.3d 181, 2002-Ohio-2128, ¶ 34, 767 N.E.2d 166.

{¶ 24} The Due Process Clause of the Fourteenth Amendment to the United States Constitution

Guarantees a Fair trial before a fair tribunal. Tumey v. Ohio, 273 U.S. 510, 532, 47 S. Ct. 437, 71 L.Ed. 749, 5 Ohio Law Abs. 159, 5 Ohio Law Abs. 185, 25 Ohio L. Rep. 236 (1927). Fairness for purposes of the Due-Process Guarantee “Requires the absence of Actual Bias in the trial of cases” and “a system of law [That] endeavor[s] to prevent even the probability of Unfairness.” In re Murchinson, 349 U.S. 133, 136, 75 S. Ct. 623, 99 L.Ed. 942 (1955).

{¶ 25} Defendant, **Daniel Littlepage**, wanted a trial and held his **Not Guilty Plea** from July 2013 thru December 2013, when he was threatened with the **Death Penalty** by Judge Norbert A. Nadel, through public defender, Daniel Burke Jr. The court cannot rule this threat of the **Death Penalty** out from Judge Norbert A. Nadel against Defendant, **Daniel Littlepage**, after seeing the **Corruption, Judicial Bias, Partiality**, and more that went into **Exhibit “A”** herein. The **United States Supreme Court** considers this **Structural Error** which requires **Automatic Reversal**. Tumey v. Ohio, 273 U.S. 510, 535 (1927) (Biased Judge”); Neder v. United States, 527 at 8 (“Biased Trial Judge” IS “Structural [Error],” and thus [Is] Subject to Automatic Reversal”); Edwards v. Balisok, 520 U.S. 641, 647 (1997) (“A Criminal Defendant Tried by A Partial Judge Is Entitled to Have His Conviction Set Aside, No Matter How Strong the Evidence Against Him.”); Johnson v. United States, 520 U.S. 461, 469 (1997); Sullivan v. Louisiana, 508 U.S. at 279; Rose v. Clark, 478 U.S. 570, 577-578 (1986); Tumey v. Ohio, 273 U.S. 510, 523 (1927). Due to the Structural Error and Corruption that Exhibit “A” Proves took place against Defendant, **Daniel Littlepage** in his Case, a New Trial is Required.

{¶ 26} Next, lets decipher the ramification of the creation and execution of the **Forged / Fraudulent Document / Order** that went into **Exhibit “A”** herein by Judge Norbert A. Nadel which constitutes **Structural Error, Automatic Reversal, Corruption** and more.

{¶ 27} Moving forward, one of the Statutes that Judges have to follow as part of their Sworn Duties is Title 28 U.S.C. Section 47 which when read is Clear and to the Point, states the following: “No Judge Shall Hear or Determine an Appeal from The Decision of a Case or Issue Tried by Him.” It doesn’t get any clearer than this, but still Judge Norbert A. Nadel and his colleagues didn’t think this applied to him as **Exhibit “A”** herein proves. This is Bias, Partiality, Corruption and more and constitutes Structural Error and Automatic Reversal. **Exhibit “A”** herein goes way beyond the threshold of Proving Bias, Partiality, Structural Error, and Automatic Reversal.

Tumey v. Ohio, 273 U.S. 510, 535 (1927) (Biased Judge”); Neder v. United States, 527 U.S. at 8 (“Biased Trial Judge “IS “Structural [Error],’ and thus [Is] Subject to Automatic Reversal”); Edwards v. Balisok, 520 U.S. 641, 647 (1997) (“A Criminal Defendant Tried By A Partial Judge Is Entitled to Have His Conviction Set Aside, No Matter How Strong the Evidence Against Him.”).

{¶ 28} It is common knowledge there are different Branches / Levels of courts for a reason, and who to know this better than anyone... a Judge.

{¶ 29} It is also common knowledge that each Branch / Level of courts have their own group of judges according to the purpose of each individual Branch / Level for a reason, and who to know this better than anyone...a Judge.

{¶ 30} It is common knowledge and common sense among judges of the different Branches / Levels of courts, to stay in their respected Branches / Levels of courts to which they are assigned and not to meddle in another Branch / Level of courts business. This is FORBIDDEN. Who is supposed to know this better than anyone...a judge. But as Exhibit “A” herein Indisputably Proves beyond any Reasonable Doubt, Judge Norbert A. Nadel didn’t think he had to follow any rules or that the rules didn’t apply to him. But in any event Judge Norbert A. Nadel is wrong and is not above the law. Even though he went to the Hamilton County Recorder’s Office he will still answer for his corrupt actions that took place in Exhibit “A” herein.

{¶ 31} The Court of Common Pleas is responsible for Judge Norbert A. Nadel’s corrupt actions and behavior against Defendant, Daniel Littlepage, and his Due Process Rights, as well as Judge Norbert A. Nadel. Just because Judge Norbert A. Nadel stepped down as a Judge he is still a Judge and just because he went to the Hamilton County Recorder’s Office he is still a State Actor.

{¶ 32} One of the most Ludicrous things that was stated about the Corruption that Exhibit “A” Stands For and Proves Existed in Defendant, Daniel Littlepages, Case, which is Structural Error And Requires Automatic Reversal, is that the Corruption in Exhibit “A” was fixed by the granting of the Delayed Appeal that Defendant, Daniel Littlepage, was entitled to in the first place. Again this was Judge Norbert A. Nadel’s colleagues covering up for him who stated this. This Statement By Another Judge Is So Ludicrous That It Undermines The Intelligence Of The Judges Who Truly Take Their Oath Seriously.

{¶ 33} Once Judge Norbert A. Nadel, With No Authority and No Jurisdiction Went Behind The Appellate Courts Back and Created Exhibit "A" Herein, He Not Only Proved Bias, Judicial Bias, Fraud, Fraud Upon The Court, Partiality, Prejudice, All Of Which Requires A New Trial, Judge Norbert A. Nadel Along with Other State Actors Who Helped Him Create Exhibit "A" Herein and Execute it, also Committed (14) Fourteen Counts of Fraud / Fraud Upon the Court. {¶ 34} The Fraud / Fraud Upon the Court that was Intentionally Committed by Judge Norbert A. Nadel, with the help of others when Exhibit "A" herein was Created and Executed, Constitutes the following (14) Fourteen Counts Of Fraud / Fraud Upon The Court:

\*State Offenses\*

- 1) Fraud / Fraud Upon The Court: A Violation of Ohio Revised Code 2913.01 (A)(B)(F)(G)(H).
- 2) Impersonating: A Violation of Ohio Revised Code 2921.51 Division (D): (1)(2)(C)(3), Division (E): (1)(2)(C)(3).
- 3) Falsification: A Violation of Ohio Revised Code 2921.13 Division (A): (1)(a)(2)(a)(c)(m).
- 4) Using Sham Legal Process: A Violation of Ohio Revised Code 2921.52 (A)(4)(a)(b)(i)(ii)(c).
- 5) Forgery: A Violation of Ohio Revised Code 2913.31 (1)(b)(i)(ii)(c).
- 6) Corrupt Activity: A Violation of Ohio Revised Code 2923.32 (G)(I)(2)(c).
- 7) Obstructing Justice: A Violation of Ohio Revised Code 2921.32 (1)(2)(F).
- 8) Identity Fraud: A Violation of Ohio Revised Code 2913.49 [B] (1)(2)(a), [C] (1)(a)(d)(4), [D] (1).
- 9) Dereliction Of Duty: A Violation of Ohio Revised Code 2921.44 Division (E): (1)(2)(3)(a)(b).
- 10) Tampering With Evidence: A Violation of Ohio Revised Code 2921.12 (1)(2)(a)(i)(ii), (b)(i)(ii) (iii).
- 11) Conspiracy: A Violation of Ohio Revised Code 2923.01 (1)(2)(i), (3)(a)(b), (4)(a)(b)(c).
- 12) Complicity: A Violation of Ohio Revised Code 2923.03 (A)(1)(2)(B)(C)(F).

\*Federal Offenses\*

- 13) MAIL FRAUD: A Violation of Federal Statute 18 U.S.C.A 1341 and 18 U.S.C.A. 1342.

Mail Fraud Defined: The Use of the Mails to Defraud is a Federal Offense requiring the Government to Prove a Knowing Use of the Mails to Execute the Fraudulent Scheme. Elements of "Mail Fraud" are 1) Scheme to Defraud and 2) The Mailing of a Document for The Purpose Of Executing the Scheme.

Application To Defendant, Daniel Littlepages, Case: Once Judge Norbert A. Nadel, Behind the Court's back and without Authority and Jurisdiction, Impersonated One having Had Appellate Court Authority and Jurisdiction, Illegally Created his Fraudulent / Forged Document / Order, herein Exhibit "A" and Instructed the Clerk to Mail (Look At The Lower Left Hand Corner Of Exhibit "A" Herein) it to Defendant, Daniel Littlepage, as if it was an, Authentic and Legal Document / Order while knowing it was not, he, Judge Norbert A. Nadel along with The Clerk Of Courts Office Committed "Mail Fraud."

14) Using Mail To Defraud: A Violation of Federal Statute 18 U.S.C.A. 1341 and 18 U.S.C.A. 1342.

Using Mail To Defraud Defined: The Elements of this Offense are the 1) Formation of a Scheme or Artifice to Defraud, and 2) Use of Mails for the Purpose of Executing or Attempting to Execute Such Scheme or Artifice; the latter Element being the gist of the offense. The Crime Is Complete When Mails Are Used In Such Scheme.

Application To Defendant, Daniel Littlepages, Case: Once Judge Norbert A. Nadel, Behind the Court's back and without Authority and Jurisdiction, Impersonated One having Had Appellate Court Authority and Jurisdiction, Illegally Created his Fraudulent / Forged Document / Order, herein Exhibit "A" and Instructed the Clerk to Mail (Look at the Lower Left Hand Corner Of Exhibit "A" Herein) it to Defendant, Daniel Littlepage, as if it was an, Authentic and Legal Document / Order while knowing it was not, he, Judge Norbert A. Nadel along with The Clerk Of Courts Office Violated Federal Statutes by "Using Mail To Defraud."

{¶ 35} It cannot be stressed enough how serious the corruption in Exhibit "A" herein by Judge Norbert A. Nadel is both Ethically and Legally. Defendant, Daniel Littlepage, has Surpassed the Requirements to Prove Bias, Judicial Bias, Partiality, Prejudice, Corruption and more, which according to the United States Supreme Court Proves "Structural Error" and Requires "Automatic Reversal" of Defendant, Daniel Littlepages, Case. Tumey v. Ohio, 273 U.S. 510, 535 (1927) (Biased Judge)); Neder v. United States, 527 U.S. at 8 ("Biased Trial Judge" IS "Structural [Error]," and thus [Is] Subject to Automatic Reversal"); Edwards v. Balisok, 520 U.S. 641, 647 (1997) ("A Criminal Defendant Tried by A Partial Judge Is Entitled to Have His Conviction Set Aside, No Matter How Strong The Evidence Against Him.").

{¶ 36} Judge Norbert A. Nadel, who thought he was Above The Law, through his own Criminal and Unethical actions in Exhibit “A” Herein, Relinquished his Immunity. Also, Judge Norbert A. Nadel Relinquished his Immunity when he with Criminal Intent Ignored Title 28 U.S.C. Section 47, which when read is Clear and to the Point and states the following: “No Judge Shall Hear or Determine An Appeal from The Decision of a Case or Issue Tried by Him.” Once, Judge Norbert A. Nadel Ignored this Crucial Statute Title 28 U.S.C. Section 47, Judge Norbert A. Nadel made it Crystal Clear that his Oath meant nothing, thereby Violating Defendant, Daniel Littlepages, Due Process Rights under the Fifth and Fourteenth Amendments of the United States Constitution.

{¶ 37} Loss of Immunity Of A Judge: The Supreme Court of the United States Stated: Judicial Immunity Is Overcome If 1) The Actions “Alleged” Were Not Taken In The Judges Judicial Capacity, (Which Exhibit “A” Herein Proves It Was Done In All Absence Of Not Only, Authority But Also Jurisdiction.) Forrester v. White, 484 U.S. at 227-229; Stump v. Sparkman, 435 U.S. at 360. Or 2) If The Actions, Though Judicial In Nature, Were Taken In The Complete Absence Of All Jurisdiction. (Which Exhibit “A” Herein Proves It Was Done In All Absence Of Not Only, Authority But Also Jurisdiction.) Bradley v. Fisher, 13 Wall at351.

{¶ 38} Loss Of Immunity Of A Judge: A Judge has No Immunity if an Act is Done in the Clear Absence Of All Jurisdiction, for Judicial Immunity Purposes, if the Matter upon which the Judge Acts is clearly outside the subject matter Jurisdiction of the court over which the judge presides. (Which Exhibit “A” Herein Proves It Was Done In All Absence Of Not Only, Authority But Also Jurisdiction.) Ireland v. Tunis, 113 F.3d 1435, 1997 Fed App.0156 (1997).

{¶ 39} The Supreme Court of Ohio in State v. White, 142 Ohio St.3d 277 (2015), Stated “We know that Any human being, whether a police officer, a Judge (Emphasis Added), or a priest, can commit an offense and be an Offender. But The LAW Must Apply To All Or It Applies To NONE.” This includes the Corruption and More that took place in Exhibit “A” by Judge Norbert A. Nadel that Proves Structural Error and Automatic Reversal in Defendant, Daniel Littlepages, case.

{¶ 40} Any Judge or Court, moving forward that thinks that by Granting an appeal that the Defendant was Entitled to in the first place, by any means fixed the Bias, Judicial Bias, Prejudice, Corruption, Constitutional Violations, along with the (14) Fourteen Counts Of Fraud and Fraud Upon The Court that Exhibit “A” Proves, is Ludicrous.

{¶ 41} The Proven Frauds that were committed in the Creation and Execution of Exhibit "A" herein by Judge Norbert A. Nadel under "The Color of Law" and under "The Color of Office" listed in {¶ 34} of this properly filed motion that Surpasses the Requirements to prove "Structural Error" and "Automatic Reversal" in Defendant, Daniel Littlepages, case is not going away. All of these Frauds / Crimes Committed by Judge Norbert A. Nadel an Officer of the Court, Against Defendant, Daniel Littlepage, listed in {¶ 34} Herein Are Also Federal Offenses for Which Judge Norbert A. Nadel Has No Immunity from. No Judge Is Above the Law. These Frauds / Crimes by Judge Norbert A. Nadel Will Be Addressed In The Federal Court and Beyond in The Proper Motion / Filing.

{¶ 42} So the court knows, it is Clearly Stated that a "State Judge" can be found Criminally Liable Under Federal Statute Title 18 U.S.C. Section 242; which makes it a Criminal Act (1) "Willfully" and (2) Under The Color of Law; and (3) To Deprive a Person of Rights Protected by The Constitution or Laws of the United States. The Corruption by Judge Norbert A. Nadel in Exhibit "A" herein Meets and Exceeds the requirements of Federal Statute Title 18 U.S.C. 242. So the court doesn't get lost, Defendant, Daniel Littlepage, wanted a Trial and Still Does, but ineffective counsel Daniel Burke Jr. and Frank Osbourne Told Defendant, Daniel Littlepage, that Judge Norbert A. Nadel Stated that if Defendant, Daniel Littlepage, proceeded with a trial he (Meaning Judge Norbert Norbert A. Nadel) would give Defendant, Daniel Littlepage, the Death Penalty. That Is Clearly Why Corrupt Judge Norbert A. Nadel Thought Out, Wrote Out, and Executed Exhibit "A" Herein.

{¶ 43) The Supreme Court of the United States Has Stated the following: Title 42 U.S.C. § 1983, originally passed as § 1 of the Civil Rights Act of 1871, 17 Stat. 13, reads in full:

"Every person who under color of any statute, ordinance, regulation, custom, or usage, Of any State or Territory, Subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, Privileges, or immunities secured by the Constitution and laws, shall be liable the party Injured in an action at law, suit in equity, or other proper proceeding for redress."

Judge Norbert A. Nadel is Not Exempt from This and Neither Are the Other State Actors / Participants Who Helped Him Create and Execute This Illegal Scheme in Exhibit "A" Herein.

{¶ 44} The courts have to wonder how many more Victims there are of Judge Norbert A. Nadel's Corruption, In The Making and Execution of the Forged / Fraudulent Orders / Judgments as Exhibit "A" Proves is in Existence and Circulation.

{¶ 45} How many Victimized Defendants Received These Forged / Fraudulent Orders / Judgments, like Exhibit "A" thinking they had no way of fighting their case or that they had nothing left to fight in their case, when in reality they did...

{¶ 46} The courts have to wonder how many Victimized Defendants thought the Illegally Forged / Fraudulent Order / Judgment was Legal and Authentic only because it had a Judges signature on it, Not knowing the Judge, was Corrupt as Exhibit "A" Herein Indisputably Proves. Corrupt as just mentioned is the correct terminology to be used in the case at hand and means Immoral, Unethical, Shady, Dishonest, Fraudulent.

{¶ 47} There has to be Transparency in the courts. The courts make it a point to make the Defendants look as bad as possible when they can, but what about the Corrupt State Actors Such as Judge Norbert A. Nadel in The Case at Hand...Who Violated Defendant, Daniel Littlepages, Constitutional Rights of Due Process Under the Fifth and Fourteenth Amendments of The United States Constitution, And Constitutes Structural Error, Corruption, Bias, Partiality, (14) Counts of Fraud, (14) Counts of Fraud Upon the Court, And More, That According to The United States Supreme Court Indisputably Proves "Structural Error" And Requires" Automatic Reversal" Of Defendant, Daniel Littlepages, Case.

#### \*\*\*CONCLUSION\*\*\*

{¶ 48} There are Glaring Errors that have occurred during Defendants, Daniel Littlepages, proceedings by Judge Norbert A. Nadel, as Proven by the Bias, Judicial Bias, Partiality, Prejudice, Fraud, Fraud Upon The Court, and Corruption that went into Exhibit "A" Herein that clearly Negated Defendant, Daniel Littlepages, Rights to a Fair Trial.

{¶ 49} The Bias, Partiality, and Corruption, in Exhibit "A" Herein by Judge Norbert A. Nadel, an Officer of The Court, that was done after (We Remind You) the Original Proceedings, Prove Defendant, Daniel Littlepage, was Not Presided over in his Original Proceedings by an Unbiased and

Impartial Judge as Guaranteed by the Due Process Clause under the Fifth and Fourteenth Amendments of the United States Constitution. The Indisputable Evidence that has been provided in Exhibit "A" Herein, at Minimum is considered by The United States Supreme Court to be "Structural Error" and requires "Automatic Reversal" of Defendant, Daniel Littlepages, Case. Tumey v. Ohio, 273 U.S. 510, 535 (1927) (Biased Judge"); Neder v. United States, 527 U.S. at 8 ("Biased Trial Judge") [Is] "Structural [Error]," and thus [Is] subject to Automatic Reversal"); Edwards v. Balisok, 520 U.S. 641, 647 (1997) ("A criminal defendant tried by a partial judge is entitled (Emphasis Added) to have his conviction set aside, no matter how strong the evidence against him.") (Emphasis Added); Johnson v. United States, 520 U.S. 461, 469 (1997); Sullivan v. Louisiana, 508 U.S. at 279; Rose v. Clark, 478 U.S. 570, 577-578 (1986).

{¶ 50} To Reiterate, The United States Supreme Court States, "Structural Errors" Are Errors That The Court Will Always Consider To Have Violated Your Rights To A Fair Trial. Therefore, These Errors Are Not Subject To The Harmless Error Rule, And YOU DO NOT HAVE TO PROVE TO THE COURT THAT YOU WERE ACTUALLY HARMED. Structural Errors Include: Number (2) Two of (6), The Denial Of The Right To An Impartial Judge. Exhibit "A" Herein Indisputably Proves Structural Error, Bias, Partiality, Corruption And More.

\*\*\*REMEDY\*\*\*

{¶ 51} Its Clear from the Evidence presented in Exhibit "A" Herein, and all supporting Statutes, along with Case Law, that Defendant, Daniel Littlepage, Surpasses the requirements to prove, Bias, Partiality, Judicial Bias, Fraud, and Fraud Upon The Court, all Committed by an Officer of the Court, Judge Norbert A. Nadel, and Entitles Defendant, Daniel Littlepage, to No Less Than A New Trial.

{¶ 52} All of the Violations mentioned above, according to The United States Supreme Court, is "Structural Error" and Requires "Automatic Reversal" of Defendant, Daniel Littlepages, Case. Tumey v. Ohio, 273 U.S. 510, 535 (1927) (Biased Judge"); Neder v. United States, 527 U.S. at 8 ("Biased Trial Judge") [Is] "Structural [Error]," and thus [Is] subject Automatic Reversal"); Edwards v. Balisok, 520 U.S. 641, 647 (1997) ("A criminal defendant tried by a partial judge is entitled (Emphasis Added) to have his conviction set aside, no matter how strong the evidence

Against him."); Arizona v. Fulminate, 499 U.S. 279, 310, 111 S.Ct. 1246, 1265, 113 L. Ed.302,332 (1991) ("[S]tructural Defect[s] Affect The Framework Within Which The Trial Proceeds, Rather Than Simply... Error[s] In The Trial Process."). Again, A New Trial Is The Remedy In Defendant, Daniel Littlepages, Case.

Respectfully submitted,



Daniel Littlepage, Pro Se  
Inmate # 697296  
15802 State Route 104 North  
Chillicothe, Ohio 45601

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion to Vacate Judgment of Conviction Due To "Structural Error" Pursuant to The Due Process Clause of the Fifth and Fourteenth Amendments to The United States Constitution was Delivered and Filed at the courthouse located at 1000 Main Street, Cincinnati, Ohio 45202. In the Month of March, 2020.

Respectfully submitted,



Daniel Littlepage, Pro Se  
Inmate # 697296  
15802 State Route 104 North  
Chillicothe, Ohio 45601

Copy Sent To:  
Hamilton County Prosecutor  
230 East 9<sup>th</sup> Street  
Cincinnati, Ohio 45202

ENTERED  
JUN 10 2014

COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

State of Ohio

CASE NO. B1304393

-vs-

ORDER

Daniel Littlepage

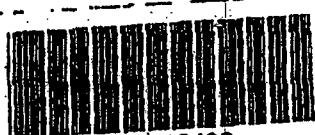
It is hereby ordered that the motion to Leave to File delayed Appeal filed by defendant, pro-se, on June 3, 2014, is hereby denied.

Norbert A. Nadel  
Norbert A. Nadel, Judge

Clark to send  
copies to defendant.

6/10/2014

Date



D106622420

IN THE  
SUPREME COURT OF OHIO

20-1358

DANIEL LITTLEPAGE

CCI, #A697296

P.O. BOX 5500

CHILLICOTHE, OHIO 45601

RELATOR,

v.

: CASE NO. \_\_\_\_\_

:

: ORIGINAL ACTION

: WRIT OF MANDAMUS

:

: ARTICLE IV, SECTION 2 OF

: THE OHIO CONSTITUTION

:

FIRST DISTRICT COURT

OF APPEALS,

230 EAST NINTH STREET

CINCINNATI, OHIO 45202

RESPONDENT.

:

:

WRIT OF MANDAMUS

[¶1] Now comes the Relator, Daniel Littlepage, without counsel; and files his Writ Of Mandamus, made upon personal knowledge, setting forth facts admissible in evidence and supported by the record; and showing affirmatively that he is competent to testify to all matters in this Writ Of Mandamus, Requests this Court to take Original Jurisdiction; and Order the Respondent, The First District Court of Appeals, to Grant Relator's Properly Filed Summary Judgment.

[¶2] The Facts set forth in this Writ Of Mandamus and supported by the Record are as follows:

5-15-20 Received by Certified Mail, The Clerk of Courts for the The Court of Common Pleas in Case Number B1304393 Recorded and Docketed Relator Daniel Littlepage's, Prop-

RECEIVED

NOV 06 2020

CLERK OF COURT

FILED

NOV 06 2020

CLERK OF COURT  
SUPREME COURT OF OHIO

APPENDIX D

erly filed "Motion To Vacate Judgment Of Conviction Due To 'Structural Error' Pursuant To The Due Process Clause Of The Fifth And Fourteenth Amendments To The United States Constitution." Refer to the Record to see that this Properly Filed Motion Was Accepted And Filed By The Clerk Of Courts And Placed On Docket On 5-13-20, But Yet, The Clerk Of Courts "Stamped" The Actual Motion As Being Received And Filed On 5-15-20. Refer to the Record. How Does This Happen?

[¶3] From June 2020 Thru October 2020 No Response or Attempt to Respond has been made by The Court of Common Pleas which had a 120 Days to Respond.

[¶4] From June 2020 Thru October 2020 No Response and No Extension of time has been requested by the prosecution who are now way past their time. Relator, Daniel Littlepage, is Entitled to his Properly Filed Summary Judgment.

[¶5] On September 25, 2020, in the First District Court of Appeals, The Clerk of Courts, Through Certified Mail, (See Exhibit "A" Herein) Received from Relator, Daniel Littlepage, his Properly Filed Motion For Summary Judgment resulting from the State's Failure to Respond to the properly filed "Motion To Vacate Judgment Of Conviction Due To 'Structural Error' Pursuant To The Due Process Clause Of The Fifth And Fourteenth Amendments To The United States Constitution.

[¶6] The Clerk of Courts in an attempt to Delay Justice to Relator, Daniel Littlepage, Stamps The Motion Received On October 5, 2020. This is 11 Days After They Signed For It. (See Exhibit "B" Herein)

[¶7] Due to the Carelessness and Design of The Clerk of Courts Office, This Properly Filed Motion For Summary Judgment Has Not Even Been Put On The Docket As Being Filed. (See Exhibit "C" Herein) Where Is It?

[¶8] Relator, Daniel Littlepage, who is Entitled, as a matter of Law, to the "Summary Judgment" which was Filed in The First District Court of Appeals, Requests that this Superior Court of Jurisdiction, Command The First District Court of Appeals To Grant The Properly Filed Motion For "Summary Judgment" In Relator, Daniel Littlepage's, Favor In The Interest Of Justice And A Matter Of Law.

Respectfully Submitted,



Daniel Littlepage

CCI, #A697296

P.O. Box 5500

Chillicothe, Ohio 45601

CERTIFICATE OF SERVICE

I, the Undersigned, do hereby certify that a copy of the foregoing was served, Regular U.S. Mail service, to Respondent, at 230 East Ninth Street, Cincinnati, Ohio 45202; and the Original was sent to the Clerk of Court, Ohio Supreme Court, 65 South Front Street, Columbus, Ohio 43215.



Daniel Littlepage  
CCI, #A697296  
P.O. Box 5500  
Chillicothe, Ohio 45601

# EXHIBIT "A"

697296 LITTLEPAGE F-1

SENDER: COMPLETE THIS SECTION	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>• Attach this card to the back of the mailpiece, on the front if space permits.</p>	
1. Article Addressed to:	
<p>CLERK OF COURTS FIRST DISTRICT COURT OF APPEALS 230 EAST NINTH STREET CINCINNATI, OHIO 45202</p>	
2. Article Number (Transfer from service label)	
20191120 0001 3605 7333	
3. Service Type	
<input checked="" type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collected on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery <input type="checkbox"/> Priority Mail Express <input type="checkbox"/> Registered Mail <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Restricted Delivery	
4. Postage	
5. Total Postage and Fees	
6. Sent To	
<p>CLERK OF COURTS, FIRST DIST. 230 E. NINTH ST CINCINNATI, OH 45202</p>	

U.S. Postal Service  
CERTIFIED MAIL® RECEIPT  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Certified Mail Fee \$ 3.55

Extra Services & Fees (check box, add fees as appropriate)

Return Receipt (handcopy) \$ 1.85  
 Return Receipt (electronic) \$ \_\_\_\_\_  
 Certified Mail Restricted Delivery \$ \_\_\_\_\_  
 Adult Signature Required \$ \_\_\_\_\_  
 Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ .65

Total Postage and Fees \$ 4.10

7. Sent To

Street and Apt. No. or PO Box No.  
230 E. NINTH ST  
City, State, Zip  
CINCINNATI, OH 45202

PS Form 3800, April 2015 PSH 7530-02-003 9047  
See Reverse for Instructions

SEP 14 2020  
Postmark  
Here  
45202  
2017

## Personal A/C Withdrawal Check Out-Slip

Institution:	Date:
CCI	9-9-20
Name:	
CLERK OF COURTS, FIRST DISTRICT COURT OF APPEALS	
Address:	
230 EAST NINTH STREET	
City:	State:
CIINCINNATI	OHIO
Zip Code:	45202

Postage    Copies    ID    Misc. \_\_\_\_\_    Check-out CK # \_\_\_\_\_

**CERTIFIED**

The inmate's signature on this withdrawal request verifies that the information listed above has been read to or by the inmate and is correct. In the event of an error in the address which results in the return of this package, the inmate shall assume financial responsibility.

Inmate's Signature:	Number:	Block & Cell Number:
<i>James Littlepage</i>	697296	F-1 2017
Approved By:	Witnessed:	<i>A. WEA</i>

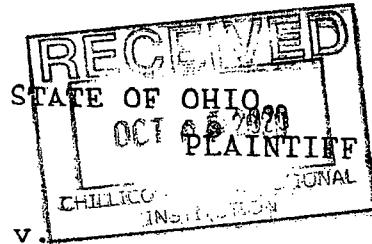
Ship VIA:	1014 1120 0001 3605 7333	Date Processed:	SEP 11 2020
DRC 1004 (Rev. 3/01)	DISTRIBUTION: WHITE - Cashier	CANARY- Inmate	Pink- _____
<small>PRINT NAME</small>	ACA 4046		

(3)

## EXHIBIT "v"

IN THE FIRST DISTRICT COURT OF APPEALS  
HAMILTON COUNTY, OHIOCOPY FILED  
CLERK OF COURTS  
HAMILTON COUNTY

SEP 29 2020

AFTAB PUREVAL  
COMMON PLEAS COURTS

Judge Dinkelacker

DANIEL LITTLEPAGE,  
DEFENDANT.

: CASE NO. B1304393

:

:

:

:

## AFFIDAVIT OF INDIGENCY

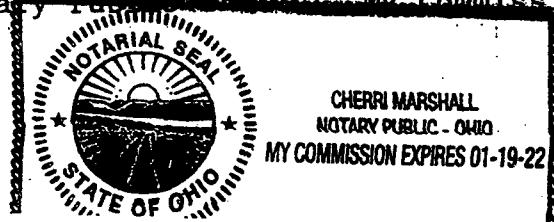
The undersigned, Daniel Littlepage, after being first duly cautioned and sworn, does affirm that the following are true to the very best of my knowledge:

- 1) I am a inmate at Chillicothe Correctional Institution, in the County of Ross, State of Ohio, and that I am without the necessary funds with which to pay the costs of this action;
- 2) I am truly indigent earning only \$20.00 per month which covers my hygiene, and over the counter medications and other basic essentials, leaving me with insufficient funds for the cost of this action.

DANIEL LITTLEPAGE

Sworn To And Subscribed In My Presence This 9th Day Of  
September, 2020.

Signature Of Notary Public \_\_\_\_\_ My Commission Expires On \_\_\_\_\_



IN THE FIRST DISTRICT COURT OF APPEALS  
HAMILTON COUNTY, OHIO

STATE OF OHIO, :  
PLAINTIFF, : CASE No. B1304393  
: :  
V. : MOTION FOR SUMMARY  
: JUDGMENT  
DANIEL LITTLEPAGE, :  
DEFENDANT. : :  
: :  
: :

---

MOTION FOR SUMMARY JUDGMENT

---

Now comes the Defendant, Daniel Littlepage, and Respectfully moves this Court, pursuant to Rule 56 of The Ohio Rule of Civil Procedure, for Summary Judgment on the ground that there are No genuine issues to be disputed by the state in Defendant's properly filed "Motion To Vacate Judgment Of Conviction Due To Structural Error Pursuant To The Due Process Clause Of The Fifth and Fourteenth Amendments To The United States Constitution" and that Defendant, Daniel Littlepage, is Entitled to Judgment in his favor as a matter of Law.

The basis of this motion is set out more fully in the following Memorandum.

Respectfully Submitted,

  
Daniel Littlepage  
A697296 / Pro Se  
P.O. Box 5500  
Chillicothe, Ohio 45601

MEMORANDUM

[¶1] On May 13, 2020, Defendant, Daniel Littlepage, filed with The Court Of Common Pleas a "Motion To Vacate Judgment Of Conviction Due To 'Structural Error' Pursuant To The Due Process Clause Of The Fifth And Fourteenth Amendments To The United States Constitution." The filing of this Motion is supported by the "Time Stamped" copy received by Defendant, Daniel Littlepage, from the Clerk of Court's office and the Docket.

[¶2] As of this filing, September 4, 2020, No response or attempt at response has been made by either the Court Of Common Pleas or the Prosecutor's Office.

[¶3] Two Copies of the "Motion To Vacate Judgment Of Conviction Due To 'Structural Error' Pursuant To The Due Process Clause Of The Fifth And Fourteenth Amendments To The United States Constitution" were sent to the Prosecutor's Office, One by Defendant, Daniel Littlepage, and the Second one by the Clerk of Court's office, labeled "Prosecutor's Copy."

[¶4] The State is Past its 120 Day window to respond and No Extension of time has been requested.

[¶5] So the Motion For Summary Judgment In The Defendant's Favor Is Appropriate.

[¶6] Even though this "Structural Error" was Committed by a "Corrupt Officer Of The Court," Judge Norbert A. Nadel, It Still Has To Be Responded To.

[¶7] The Defendant petitions this Court for Summary Judgment and to Grant relief sought in the Original Motion of a New Trial.

  
Daniel Littlepage  
A697296 / Pro Se  
P.O. Box 5500  
Chillicothe, Ohio  
45601

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion For Summary Judgment was delivered and filed at the Clerk Of Courts, located at 230 East Ninth Street, Cincinnati, Ohio 45202.

Respectfully Submitted,



Daniel Littlepage

A697296

P.o. Box 5500

Chillicothe, Ohio 45601

Copy Sent To:

Hamilton County Prosecutor  
230 East Ninth Street  
Cincinnati, Ohio 45202

You have received a **jpay** letter, the fastest way to get mail

To : DANIEL LITTLEPAGE, ID: A697296  
Date : 9/2/2020 7:58:18 PM EST, Letter ID: 926599492  
Location : CCI  
Housing : FF1201T

EXHIBIT "C"

Case Number: B 1304393

Court: Common Pleas Criminal

Municipal Case Number: C/13/CRA/19928

Case Caption: STATE OF OHIO vs. DANIEL LITTLEPAGE

Judge: NORBERT A NADEL

Filed Date: 07/26/2013

Case Type: 5 - WARRANT ON INDICTMENT

Race: WHITE

Sex: M

Age: 54

Date of Birth: 06/26/1966

Bond Amount: 1000000 STRAIGHT

Count:1 MURDER WITH SPECIFICATIONS 2903-02B ORCN

Disposition: 04/22/2014 - DISMISSAL

Count:2 AGGRAVATED MURDER WITH SPEC #2 (DISMISS SPEC #1) 2903-01A ORCN

Disposition: 01/21/2014 - DEPARTMENT OF CORRECTIONS

[View Case History for B 1304393](#) [View Case Schedules for B 1304393](#) [View Case Documents for B 1304393](#) [View Case Party/Attorney Information for B 1304393](#) [View Certified Mail Service for B 1304393](#) [Return To My Portfolio](#)

05/13/2020 MOTION TO VACATE JUDGMENT OF CONVICTION DUE TO "STRUCTURAL ERROR" PURSUANT TO THE DUE PROCESS CLAUSE OF THE FIFTH AND FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION Document Locked

02/18/2020 ENTRY FROM THE SUPREME COURT OF OHIO DECLINES TO ACCEPT JURISDICTION (C 1800524) Document Locked

11/19/2019 COPY OF NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO FILED 11/15/19 S.C.# 2019-1592 (C 1800524) Document Locked

10/04/2019 JUDGMENT ENTRY AFFIRMED (C 1800524) Document Locked

09/11/2019 COURT OF APPEALS OF HAMILTON COUNTY CASE NO. C 1900493, TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES FILED Document Locked

08/20/2019 NOTICE OF APPEAL FILED NO. C1900493 COPY SENT TO HAMILTON COUNTY PROSECUTOR Document Locked

07/31/2019 ENTRY OVERRULING MOTION TO VACATE SENTENCE Document Locked

07/30/2019 MOTION TO VACATE AND SET ASIDE THE JUDGMENT AND CONVICTION Document Locked

07/30/2019 AFFIDAVIT OF INDIGENCY Document Locked

11/16/2018 COURT OF APPEALS OF HAMILTON COUNTY CASE NO. C 1800524, TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES FILED Document Locked

09/12/2018 NOTICE OF APPEAL FILED NO. C1800524 COPY SENT TO HAMILTON COUNTY PROSECUTOR Document Locked

09/06/2018 ENTRY FROM THE SUPREME COURT OF OHIO (C 1600918) Document Locked

08/07/2018 ENTRY OVERRULING MOTION TO SET ASIDE JUDGMENT AND PLEA Document Locked

08/02/2018 MOTION TO SET ASIDE JUDGMENT AND VACATE PLEA Document Locked

07/27/2018 ENTRY OF DISMISSAL AND OPINION (C 1700157, C 1700207) Document Locked

07/27/2018 ENTRY OF DISMISSAL AND OPINION (C 1700157, C 1700207) Document Locked

05/31/2018 COPY OF NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO FILED 05/23/2018 S.C.# 18-0717 (C 1600918) Document Locked

05/16/2018 ENTRY FROM THE SUPREME COURT OF OHIO (C 1700265) Document Locked

04/13/2018 OPINION AND JUDGMENT ENTRY AFFIRMING (C 1600918) Document Locked

11/28/2017 COPY OF NOTICE OF APPEAL TO THE SUPREME COURT OF OHIO FILED 11/20/2017 S.C.# 17-1646 (C 1700265) Document Locked

10/17/2017 ENTRY OF DISMISSAL (C 1700265) Document Locked

05/23/2017 COURT OF APPEALS OF HAMILTON COUNTY CASE NO. C 1700207, TRANSCRIPT OF DOCKET AND JOURNAL ENTRIES FILED Document Locked

05/10/2017 NOTICE OF APPEAL FILED NO. C1700207 COPY SENT TO HAMILTON COUNTY PROSECUTOR Document Locked

05/08/2017 COURT OF APPEALS OF HAMILTON COUNTY CASE NO. C 1700157, TRANSCRIPT OF DOCKET

11 11  
ENTERED  
JUN 10 2014

COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO

State of Ohio

CASE NO. B1304393

-vs-

ORDER

Daniel Littlepage

It is hereby ordered that the motion to leave to file delayed appeal filed by defendant, pro se, on June 3, 2014, is hereby denied.

Norbert A. Nadel  
Norbert A. Nadel, Judge

Clark to send  
copies to defendant.

6/10/2014

Date



D106622420

**Public  
Defender**

2nd Floor Wm Howard Taft Law Center  
230 East Ninth Street, Cincinnati, OH 45202

**Client Case History**

Client Name: Daniel W Littlepage

DOB: 06/26/1966

Control #: 1258900

Pending Case(s):  
C/13/CRA/19928

2903-01A AGGRAVATED MURDER-PREMED

Status	Next Action	Time	Room	Schedule	Type
A	07/22/2013	9:00	JCA	ARRAIGNMENT	

Other Cases for this Client

Case Number	Attorney Name	Case		Disp. Date	Next Date	Time	Room	Type
		Status	Disposition					
C/01/TRD/18751	4511-21 SPEEDING	I	PAID OUT	06/28/2001				