Appendix A

OHIO SUPREME COURT
2021-0720
2021-0721

IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO

BANK OF NEW YORK MELLON,

Plaintiff(s),

-vs-

GREGORY THOMAS ACKERMAN, et al,

Defendant(s).

CASE NO. 2009 CV 03194

JUDGE DENNIS J. LANGER

ORDER OF DISMISSAL
(Failure to Prosecute)

The Court having, on its own motion, pursuant to Civil Rule 41(B)(1) and Local Rule 2.15, sent notice to Plaintiff(s) counsel that this case would be dismissed within fourteen days of said notice for want of prosecution unless cause was shown as to why this case should not be dismissed, and fourteen days having expired with no such cause having been shown, this matter is hereby DISMISSED for want of prosecution, all without prejudice to a new action.

SO ORDERED:

JUDGE DENNIS J. LANGER

This document is electronically filed by using the Clerk of Courts' e-Filing system. The system will post a record of the filing to the e-Filing account "Notifications" tab of the following case participants:

MALLORY A JOHNSON
(513) 241-3100
Attorney for Plaintiff(s), Bank Of New York Mellon

GEORGE B PATRICOFF
(937) 225-5799
Attorney for Defendant(s), Montgomery County Treasurer

Copies of this document were sent to all parties listed below by ordinary mail:

GREGORY THOMAS ACKERMAN
556 SHADOWLAWN AVE
DAYTON, OH 45419
Defendant, Pro Se

JOYCE LOUISE ACKERMAN
556 SHADOWLAWN AVE
DAYTON, OH 45419
Defendant(s)

NATIONAL CITY BANK
1900 EAST NINTH STREET 17TH FL
CLEVELAND, OH 44114
Defendant(s)

TOM LEHMAN CONCEPTS INC
1926 EAST 3RD STREET
DAYTON, OH 45403
Defendant(s)

INOVISION
1804 WASHINGTON BLVD #500
BALTIMORE, MD 21230
Defendant(s)

JULENE POWERS, BAILIFF (937) 225-4055

General Divison

Montgomery County Common Pleas Court

41 N. Perry Street, Dayton, Ohio 45422

Case Title:	BANK OF NEW YORK MELLON vs GREGORY THOMAS ACKERMAN
Case Number:	2009 CV 03194
Type:	Order: Dismiss Without Prejudice

So Ordered

Dennis J. Langer

The Supreme Court of Ohio

FILED
AUG 17 2021
CLERK OF COURT
SUPREME COURT OF OHIO

Bank of New York Mellon		Case No. 2021-0720
v.		ENTRY
Gregory T. Ackerman, et al.		

Upon consideration of the jurisdictional memoranda filed in this case, the court declines to accept jurisdiction of the appeal pursuant to S.Ct.Prac.R. 7.08(B)(4).

It is further ordered that appellant's motion for stay and order for reverse of judgment upon the review of alleged perpetrated acts of fraud on court is denied.

(Montgomery County Court of Appeals; No. 28737)

Maureen O'Connor
Chief Justice

The Official Case Announcement can be found at http://www.supremecourt.ohio.gov/ROD/docs/

2021-0709. Simon v. Simon.
Summit App. No. 29615, 2021-Ohio-1387.

2021-0713. In re Estate of Abraitis.
Cuyahoga App. No. 109810, 2021-Ohio-1408
Donnelly and Stewart, JJ., not participating.

2021-0714. FitzGerald v. FitzGerald.
Wood App. No. WD-20-026, 2021-Ohio-751. Appellee's amended motion to dismiss denied. Appellant's motion to deny amended motion to dismiss denied as moot.

O'Connor, C.J., and Kennedy and Stewart, JJ., would deny appellant's motion.

Fischer, Donnelly, and Brunner, JJ., would deny appellee's motion as moot.

DeWine, J., would grant appellee's motion.

2021-0715. State v. Clinksdale.
Franklin App. No. 20AP-561.

2021-0720. Bank of New York Mellon v. Ackerman.
Montgomery App. No. 28737, 2020-Ohio-6954. Appellant's motion for stay and order reversing judgment denied.

2021-0721. Bank of New York Mellon v. Ackerman.
Montgomery App. No. 28737, 2020-Ohio-6954. Appellant's motion for stay and order reversing judgment denied.

2021-0723. State v. Christy.
Fairfield App. No. 20-CA-29, 2021-Ohio-1470.
Brunner, J., dissents.

2021-0724. State v. Merriman.
Cuyahoga App. No. 109431, 2021-Ohio-1403.
Fischer, J., dissents.
Brunner, J., dissents and would accept the appeal on proposition of law No. II.

2021-0730. State v. McDaniel.
Darke App. No. 2020-CA-3, 2021-Ohio-1519.

3/31/2022 * NOT ACCEPTED By Clerk

IN THE SUPREME COURT OF OHIO

Gregory T. Ackerman, et al. Joyce L. Ackerman (Sole Appellant hereon) Appellant, v. The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset- Backed Securities Trust 2005-SD1, Asset-Backed Certificates Series 2005-SD1 <u>c/o</u> **Wells Fargo Bank, N.A. 3476 Stateview Boulevard Fort Mill, SC 29715 MAC # 7801-013** Appellee.	: : : : : : : : : : :	No. 2021 – 0720 On Appeal from Montgomery County Court of Appeals, Second Appellate District Court of Appeals Case No. 28737

EMERGENCY MOTION FOR RECONSIDERATION OF MEDIATION PROCEEDINGS OF SOLE APPALLANT, JOYCE L. ACKERMAN

Joyce L. Ackerman (Sole Appellant)
556 Shadowlawn Ave.
Dayton, Ohio 45419
Phone: (937) 430-7190

Pro Se ~Appearance personally pursuant to 28 U.S.C. § 1654, as SOLE APPELANT,

Rick D. DeBlasis (#0012992)
Willliam P. Leaman (#0092336)
Lerner, Sampson & Rothfuss
120 East Fourth St. Cincinnati, Ohio 45202
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William.Leaman@lsrlaw.com

COUNSEL FOR APPELLEE

Now respectfully comes sole Appellant, Joyce L. Ackerman with "Emergency motion for reconsideration of mediation proceedings" to this Honorable Supreme Court of Ohio for necessary judicial prudence and mediation proceedings upon social matters of public and great general interest for fair and impartial trials of Appellant in the state of Ohio jurisdiction within the Ohio Constitution.

See Appendix A; The Supreme Court of Ohio, "Entry"

Appellant incorporates herein, the complete filing of an emergency request and motion for compelling mediation proceedings by sole appellant Joyce L. Ackerman, filed on January 21, 2021.

This Honorable Supreme Court of Ohio has jurisdiction pursuant to;

Article IV, Section 1 | Judicial power vested in court: "The judicial power of the state is vested in a supreme court, courts of appeals, courts of common pleas and divisions thereof, and such other courts inferior to the Supreme Court as may from time to time be established by law."

Appellant's "Emergency motion for reconsideration of mediation proceedings" for relief of Judgment or Orders is made pursuant to "errors therein arising from oversight or omission which may be corrected by the court at any time on its own initiative or on the motion of any party and after such notice, if any, as the court orders" under Civ.R. 60(A);

See Civ.R. 60A) Clerical mistakes. Clerical mistakes in judgments, orders or other parts of the record and "errors therein arising from oversight or omission may be corrected by the court at any time on its own initiative or on the motion of any party and after such notice, if any, as the court orders."

Reasons for Mediation to Acquire Relief of Misguided Judgment and Orders

It appears that a number of case matters of the Appellant, Joyce Ackerman show cause to an 'abuse of discretion', which requires a standard of review 'de novo'.

Upon review de nevo of the Ohio judiciary actions of Joyce Ackerman case matters reveal the trial court of Montgomery County, Second District Court of Ohio and Supreme Court of Ohio rulings have infringed on the traditional standard of law, and the facts do not match rulings, while demonstrating an *abuse of discretion* under this standard, and the Ohio court(s) decision must be reversed as they are clearly arbitrary, unreasonable or unconscionable.

Appellant states that the record of the courts leaves absolutely no question that the judge and justices were wrong, and further resulted in forged; fabricated and perpetrated documents of public records, eviction from property, and theft of personal property at 556 Shadowlawn Ave. Dayton, Ohio.

Wherefore, appellants motion for reconsideration listed above, along with her emergency request and motion for compelling mediation proceedings by sole appellant Joyce L. Ackerman, filed on January 21, 2021, pursuant to Civ.R.60(A), the Appellant moves this Honorable Supreme Court to execute in favor of the Appellant the Ohio Revised Code Section 5303.01 Action to Quite Title., and Section 5303.03 Petition in action for land, as justice so requires.

Appellant moves this Honorable court to immediately re-establish all property rights back to Joyce L. Ackerman, and return all personal property, and other relevant property, as was established before the eviction of Appellant on February 04, 2021, as are just.

Quote: "No man (or woman) is above the law and no man (or woman) is below it: nor do we ask any man's (or woman's) permission when we ask him to obey it."
Theodore Roosevelt

CONCLUSION

Appellant prays this Honorable Supreme Court of Ohio to affirm this relevant emergency Motion for Reconsideration of Motion for Mediation, re-establish her jury demand action and re-establish her proper and meaningful property rights, and all other interest, as justice so requires.

Respectfully submitted,
Joyce L. Ackerman, Sole Appellant

Joyce L. Ackerman

Joyce L. Ackerman
Pro Se ~Appearance personally
Pursuant to 28 U.S.C. § 1654,
as SOLE APPELANT

Certificate of Service

On March 31, 2022, I certify that a copy of this Motion for reconsideration was sent by ordinary U.S. mail to counsel for appellees, Rick D. DeBlasis (#0012992) Willliam P. Leaman (#0092336) at Lerner, Sampson & Rothfuss 120 East Fourth St. Cincinnati, Ohio 45202 and Robbin Roseberry (Sheriff Sale Bidder) at 2882 Fuls Rd, Farmersville, Ohio 45325.
And,
Dinsmore's headquarters in Cincinnati Attn:, MichaelW. Hawkins, Patrick W. Michael, Angela Logan Edwards, Michael J Newman, 255 E. Fifth Street Suite 1900 Cincinnati, OH 45202

Joyce L. Ackerman

Joyce L. Ackerman
Pro Se ~Appearance personally
Pursuant to 28 U.S.C. § 1654,
as sole Appellant

The Supreme Court of Ohio

FILED
AUG 17 2021
CLERK OF COURT
SUPREME COURT OF OHIO

Bank of New York Mellon	:	Case No. 2021-0721
v.	:	ENTRY
Gregory T. Ackerman, et al.	:	

Upon consideration of the jurisdictional memoranda filed in this case, the court declines to accept jurisdiction of the appeal pursuant to S.Ct.Prac.R. 7.08(B)(4).

It is further ordered that appellant's motion for stay and order for reverse of judgment upon the review of alleged perpetrated acts of fraud on court is denied.

(Montgomery County Court of Appeals; No. 28737)

Maureen O'Connor
Chief Justice

2021-0709. Simon v. Simon.
Summit App. No. 29615, 2021-Ohio-1387.

2021-0713. In re Estate of Abraitis.
Cuyahoga App. No. 109810, 2021-Ohio-1408
Donnelly and Stewart, JJ., not participating.

2021-0714. FitzGerald v. FitzGerald.
Wood App. No. WD-20-026, 2021-Ohio-751. Appellee's amended motion to dismiss denied. Appellant's motion to deny amended motion to dismiss denied as moot.

O'Connor, C.J., and Kennedy and Stewart, JJ., would deny appellant's motion.

Fischer, Donnelly, and Brunner, JJ., would deny appellee's motion as moot.

DeWine, J., would grant appellee's motion.

2021-0715. State v. Clinksdale.
Franklin App. No. 20AP-561.

✓ **2021-0720. Bank of New York Mellon v. Ackerman.**
Montgomery App. No. 28737, 2020-Ohio-6954. Appellant's motion for stay and order reversing judgment denied.

✓ **2021-0721. Bank of New York Mellon v. Ackerman.**
Montgomery App. No. 28737, 2020-Ohio-6954. Appellant's motion for stay and order reversing judgment denied.

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Brunner, J., dissents.

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Brunner, J., dissents and would accept the appeal on proposition of law No. II.

2021-0730. State v. McDaniel.
Darke App. No. 2020-CA-3, 2021-Ohio-1519.

NOT ACCEPTED BY CLERK 3/31/2022

IN THE SUPREME COURT OF OHIO

Gregory T. Ackerman, et al. Joyce L. Ackerman (Sole Appellant hereon) Appellant, v. The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset- Backed Securities Trust 2005-SD1, Asset-Backed Certificates Series 2005-SD1 c/o **Wells Fargo Bank, N.A. 3476 Stateview Boulevard Fort Mill, SC 29715 MAC # 7801-013** Appellee.	: : : : : : : : : : :	No. 21 – 0721 (en banc hearing) On Appeal from Montgomery County Court of Appeals, Second Appellate District Court of Appeals Case No. 28737

EMERGENCY MOTION FOR RECONSIDERATION OF MEDIATION PROCEEDINGS OF SOLE APPALLANT, JOYCE L. ACKERMAN

Joyce L. Ackerman (Sole Appellant)
556 Shadowlawn Ave.
Dayton, Ohio 45419
Phone: (937) 430-7190

Pro Se ~Appearance personally pursuant to 28 U.S.C. § 1654, as SOLE APELANT,

Rick D. DeBlasis (#0012992)
Willliam P. Leaman (#0092336)
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COUNSEL FOR APPELLEE

Now respectfully comes sole Appellant, Joyce L. Ackerman with "Emergency motion for reconsideration of mediation proceedings" to this Honorable Supreme Court of Ohio for necessary judicial prudence and mediation proceedings upon social matters of public and great general interest for fair and impartial trials of Appellant in the state of Ohio jurisdiction within the Ohio Constitution.

See Appendix A; The Supreme Court of Ohio, "Entry"

Appellant incorporates herein, the complete filing of an emergency request and motion for compelling mediation proceedings by sole appellant Joyce L. Ackerman, filed on January 21, 2021.

This Honorable Supreme Court of Ohio has jurisdiction pursuant to;

Article IV, Section 1 | Judicial power vested in court: "The judicial power of the state is vested in a supreme court, courts of appeals, courts of common pleas and divisions thereof, and such other courts inferior to the Supreme Court as may from time to time be established by law."

Appellant's "Emergency motion for reconsideration of mediation proceedings" for relief of Judgment or Orders is made pursuant to "errors therein arising from oversight or omission which may be corrected by the court at any time on its own initiative or on the motion of any party and after such notice, if any, as the court orders" under Civ.R. 60(A);

See Civ.R. 60A) Clerical mistakes. Clerical mistakes in judgments, orders or other parts of the record and "errors therein arising from oversight or omission may be corrected by the court at any time on its own initiative or on the motion of any party and after such notice, if any, as the court orders."

CONCLUSION

Appellant prays this Honorable Supreme Court of Ohio to affirm this relevant emergency Motion for Reconsideration of Motion for Mediation, re-establish her jury demand action and re-establish her proper and meaningful property rights, and all other interest, as justice so requires.

Respectfully submitted,
Joyce L. Ackerman, Sole Appellant

Joyce L. Ackerman

Joyce L. Ackerman
Pro Se ~Appearance personally
Pursuant to 28 U.S.C. § 1654,
as SOLE APPELANT

Certificate of Service

On March 31, 2022, I certify that a copy of this Motion for reconsideration was sent by ordinary U.S. mail to counsel for appellees, Rick D. DeBlasis (#0012992) Willliam P. Leaman (#0092336) at Lerner, Sampson & Rothfuss 120 East Fourth St. Cincinnati, Ohio 45202 and Robbin Roseberry (Sheriff Sale Bidder) at 2882 Fuls Rd, Farmersville, Ohio 45325.
And,
Dinsmore's headquarters in Cincinnati Attn:, MichaelW. Hawkins, Patrick W. Michael, Angela Logan Edwards, Michael J Newman, 255 E. Fifth Street Suite 1900 Cincinnati, OH 45202

Joyce L. Ackerman

Joyce L. Ackerman
Pro Se ~Appearance personally
Pursuant to 28 U.S.C. § 1654,
as sole Appellant

The Supreme Court of Ohio

FILED
OCT 26 2021
CLERK OF COURT
SUPREME COURT OF OHIO

Bank of New York Mellon		Case No. 2021-0720
v.		RECONSIDERATION ENTRY
Gregory T. Ackerman, et al.		Montgomery County

It is ordered by the court that the motion for reconsideration in this case is denied.

(Montgomery County Court of Appeals; No. 28737)

Maureen O'Connor
Chief Justice

The Official Case Announcement can be found at http://www.supremecourt.ohio.gov/ROD/docs/

The Supreme Court of Ohio

FILED
OCT 26 2021
CLERK OF COURT
SUPREME COURT OF OHIO

Bank of New York Mellon		Case No. 2021-0721
v.		RECONSIDERATION ENTRY
Gregory T. Ackerman, et al.		Montgomery County

It is ordered by the court that the motion for reconsideration in this case is denied.

(Montgomery County Court of Appeals; No. 28737)

Maureen O'Connor
Chief Justice

The Official Case Announcement can be found at http://www.supremecourt.ohio.gov/ROD/docs/

2021-0720. Bank of New York Mellon v. Ackerman.
Montgomery App. No. 28737, 2020-Ohio-6954. Reported at 164 Ohio St.3d 1405, 2021-Ohio-2742, 172 N.E.3d 166. On motion for reconsideration. Motion denied.

2021-0721. Bank of New York Mellon v. Ackerman.
Montgomery App. No. 28737, 2020-Ohio-6954. Reported at 164 Ohio St.3d 1405, 2021-Ohio-2742, 172 N.E.3d 166. On motion for reconsideration. Motion denied.

2021-0723. State v. Christy.
Fairfield App. No. 20-CA-29, 2021-Ohio-1470. Reported at 164 Ohio St.3d 1405, 2021-Ohio-2742, 172 N.E.3d 162. On motion for reconsideration. Motion denied.
Brunner, J., dissents.

2021-0781. King v. Divoky.
Summit App. No. 29769, 2021-Ohio-1712. Reported at 164 Ohio St.3d 1405, 2021-Ohio-2742, 172 N.E.3d 171. On motion for reconsideration. Motion denied.

2021-0785. Myers v. Haviland.
Allen App. No. 1-21-04, 2021-Ohio-1860. Reported at 164 Ohio St.3d 1421, 2021-Ohio-2923, 172 N.E.3d 1049. On motion for reconsideration. Motion denied. Appellant's request for joinder of case Nos. 2021-0785 and 2021-1025 denied.

Reporter of Decisions - Opinions & Announcements

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Joyce ackerman

Second District Court of Appeals

2000 2022

All counties

-Ohio-

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Case Caption	Case No.	Topics and Issues	Author	Citation / County	Decided	Posted	WebCite
Bank of New York Mellon v. Ackerman	28737	In an appeal from a confirmation judgment which was filed following the sale of a foreclosed property, the record does not reveal any error in the confirmation proceeding. Judgment affirmed.	Tucker	Montgomery	12/30/2020	12/30/2020	2020-Ohio-6954
Bank of New York Mellon v. Ackerman	28002	The trial court found Defendants-appellants in contempt of court and imposed corresponding sanctions based upon Defendants-appellants' violation of the court's order relating to the procedure they had to follow when bidding at sheriff's sale to purchase the real estate subject to the foreclosure action. Defendants-appellants' arguments on appeal lack any merit. Judgment affirmed.	Tucker	Montgomery	11/16/2018	11/16/2018	2018-Ohio-4642
Bank of New York Mellon v. Ackerman	26779	An abuse of discretion is not demonstrated in the trial court's denial of Appellant's Civ.R. 60 Motion for Relief from Judgment; the trial court's decision adopting the magistrate's decision does not contain a clerical error or omission which would permit relief under Civ.R.60(A); Civ.R. 60(B) cannot be used as a substitute for an appeal, and Appellants have not shown that they have a meritorious defense to present nor specified that they are entitled to relief pursuant to Civ.R. 60(B)(1)-(5). Judgment affirmed.	Donovan	Montgomery	3/11/2016	3/11/2016	2016-Ohio-960
Bank of New York Mellon v. Ackerman	24390	Appellee's foreclosure claim against pro-se Appellants was not frivolous merely because loan-modification discussions were occurring at the time. Appellee had the right under the terms of the mortgage to seek foreclosure based on Appellants' uncured breach. The trial court did not err by entering the foreclosure judgment on a legal holiday. It was within the court's discretion to conduct court business on that day, and the court did not abuse its discretion in this case by doing so. Lastly, the trial court did not err by entering summary judgment ordering foreclosure. In response to Appellee's properly made and supported motion for summary judgment, Appellants failed to present any Civ.R. 56(C) evidence; therefore, they failed to show that a genuine issue of material fact exists for trial. Judgment affirmed.	Hall	Montgomery	3/9/2012	3/9/2012	2012-Ohio-956

IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
MONTGOMERY COUNTY

BANK OF NEW YORK MELLON Plaintiff-Appellee v. GREGORY T. ACKERMAN, et al. Defendants-Appellants	Appellate Case No. 28737 Trial Court Case No. 2009-CV-3194 (Civil Appeal from Common Pleas Court)

. . . .

OPINION

Rendered on the 30th day of December, 2020.

. . . .

RICK D. DEBLASIS, Atty. Reg. No. 0012992 and WILLIAM P. LEAMAN, Atty. Reg. No. 0092336, 120 East Fourth Street, Suite 800, Cincinnati, Ohio 45020
Attorneys for Plaintiff-Appellee

GREGORY T. ACKERMAN and JOYCE L. ACKERMAN, 556 Shadowlawn Avenue Dayton, Ohio 45419
Defendants-Appellants, Pro Se

. . . .

TUCKER, P.J.

{¶ 1} Appellant, Joyce Ackerman,[1] appeals from the trial court's February 6, 2020 judgment confirming the sale of the residential property involved in this case, ordering a deed to the purchaser, and distributing the sale proceeds (the "confirmation judgment"). Finding no error in the confirmation proceeding, the trial court's judgment will be affirmed.

Facts and Procedural History

{¶ 2} This foreclosure action has consumed over 11 years, and it has generated ten previous appeals and the filing of an original action in this court. All of the appeals and the original action have been decided against the Ackermans. In our last opinion, we summarized the sad and sordid history of this case as follows:

> Appellee [Bank of New York Mellon] filed a complaint against Appellants [the Ackermans], and four other parties, on April 21, 2009, seeking to foreclose on Appellants' residence (the "Property") in Dayton. Shortly afterward, Appellee moved for a stay because it had reached a workout agreement with Appellants, and on November 9, 2009, the trial court administratively dismissed the case. The workout agreement, however, proved to be unsuccessful.
>
> On May 20, 2010, the trial court returned the case to its active docket. The trial court granted summary judgment in Appellee's favor in its judgment entry of November 11, 2010, which included a foreclosure decree. Appellants appealed the judgment, and this court affirmed. *Bank of New*

[1] Gregory Ackerman was also a party to this appeal, but, on March 26, 2020, we dismissed him from the appeal, stating that the appeal would "proceed with Joyce Ackerman as the sole appellant." This action was taken because Gregory Ackerman has been declared a vexatious litigator by the Montgomery County Common Pleas Court, and he did not obtain leave from this court before filing the pending appeal.

York Mellon v. Ackerman, 2d Dist. Montgomery No. 24390, 2012-Ohio-956, ¶ 1.

Freshzone Products, Inc., a corporation owned by Appellants, submitted the winning bid for the Property at a sheriff's sale on May 3, 2013, and made a 10 percent down payment. The trial court entered a confirmation of sale on June 20, 2013, but the corporation failed to tender the balance due within 30 days thereafter as required by R.C. 2329.30. On February 3, 2014, the trial court vacated the confirmation of sale; set the sale aside; found the corporation to be in contempt of court; and ordered that the down payment be forfeited to Appellee. Effective February 26, 2014, the trial court further ordered, with respect to any future sale, that Appellants and the corporation be required to pay the full amount of a winning bid in certified funds immediately, or otherwise be prohibited from bidding.

Appellants submitted the winning bid for the Property at a sale held on February 17, 2017. Although they made a down payment of $5,000 at that time, they violated the court's order of February 26, 2014, by failing to pay the full amount of their bid. In its order of April 20, 2018, adopting a magistrate's decision, the trial court set the sale aside; found Appellants to be in contempt of court; ordered that the down payment made by Appellants be forfeited to Appellee; and imposed restrictions on Appellants' ability to bid at any future sale. * * *

Bank of New York Mellon v. Ackerman, 2d Dist. Montgomery No. 28002, 2019-Ohio-4642,

¶ 3-6.

{¶ 3} After this last decision, the property was finally sold to someone not connected to the Ackermans, which led to the filing of the confirmation judgment at issue in this appeal. As noted, the confirmation judgment confirmed the sale, ordered a deed to the purchaser, and distributed the sale proceeds. This appeal followed.

Analysis

{¶ 4} "A trial court, upon being satisfied that a foreclosure sale has been conducted in accordance with R.C. 2329.01 through 2329.61, must file an entry stating such satisfaction and ordering the transfer of the deed to the purchaser." *Ford Consumer Fin. Co. v. Johnson*, 2d Dist. Montgomery No. 20767, 2005-Ohio-4735, ¶ 29, citing R.C. 2329.31; R.C. 2329.27(B). An appeal of a confirmation proceeding is confined "to whether the sale proceeding conformed to law." *CitiMortgage, Inc. v. Roznowski*, 139 Ohio St.3d 299, 2014-Ohio-1984, 11 N.E.3d 1140, ¶ 40. Thus, "[t]he issues appealed at confirmation are wholly distinct from the issues appealed from an order of foreclosure. In other words, if [a] part[y] appeals the confirmation proceeding[ ], [she does] not get a second bite at the apple, but the first bite of a different fruit." *Id.*

{¶ 5} Although Ackerman asserts that the sale was not conducted in conformance with R.C. 2329.31, her assignments of error assert that such "non-conformance" is based upon grievances with the foreclosure proceeding. These assertions, including her longstanding claims regarding a loan modification and her right to a jury trial, are not attacks on the confirmation process. They are, instead, claims that have been raised, litigated, and rejected over and over again. These claims, in addition to not being germane to the confirmation proceeding, would, even if relevant, be barred by the doctrine of res judicata. *See Bank of New York Mellon v. Ackerman*, 2d Dist. Montgomery No. 26779, 2016-Ohio-960, ¶ 19.

{¶ 6} Since Ackerman's assignments of error do not articulate any error with the confirmation proceeding, they are overruled.

Conclusion

{¶ 7} The trial court's confirmation judgment is affirmed.

. . . .

DONOVAN, J. and HALL, J., concur.

Copies sent to:

Rick D. DeBlasis
William P. Leaman
Joyce L. Ackerman
Freshzone Products, Inc.
Inovision
Michele D. Phipps
National City Bank
Tom Lehman Concepts, Inc.
Wells Fargo Bank, N.A.
Hon. Mary E. Montgomery

[Cite as *Bank of New York Mellon v. Ackerman*, 2018-Ohio-4642.]

IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
MONTGOMERY COUNTY

BANK OF NEW YORK MELLON	:	
Plaintiff-Appellee	:	Appellate Case No. 28002
v.	:	Trial Court Case No. 2009-CV-3194
GREGORY THOMAS ACKERMAN, et al.	:	(Civil Appeal from Common Pleas Court)
Defendants-Appellants	:	

. . . .

OPINION

Rendered on the 16th day of November, 2018.

. . . .

SCOTT A. KING, Atty. Reg. No. 0037582 and TERRY W. POSEY, JR., Atty. Reg. No. 0078292, 10050 Innovation Drive, Suite 400, Miamisburg, Ohio 45342
Attorneys for Plaintiff-Appellee

GREGORY THOMAS ACKERMAN, 556 Shadowlawn Avenue, Dayton, Ohio 45419
Defendant-Appellant, Pro Se

. . . .

TUCKER, J.

{¶ 1} Defendants-appellants, Gregory Thomas Ackerman and Joyce L. Ackerman, appeal pro se from the trial court's final order of April 20, 2018, in which the court adopted a magistrate's decision sustaining the motion of Plaintiff-appellee, Bank of New York Mellon, for sanctions and other relief. Appellants argue that the trial court's order should be reversed because the court violated 28 U.S.C. 1657(a) by issuing the underlying foreclosure decree before the entry of final adjudication in two other civil actions; because Appellee acted maliciously and in bad faith by attempting to proceed with a sheriff's sale despite Appellants' filing of a petition for a writ of certiorari to the United States Supreme Court; because the court violated their constitutional right to a trial by jury in issuing the foreclosure decree; and because Appellee breached a loan modification agreement by attempting to proceed with the sale. In addition, Appellants move for an order staying any further proceedings in the trial court until their other civil actions have been resolved.

{¶ 2} We find that Appellants have presented no meritorious arguments for the reversal of the trial court's order of April 20, 2018, and therefore, the order is affirmed. Similarly, Appellants have not offered a meritorious basis for the imposition of a stay on further proceedings in the trial court, and as a result, their motion for a stay is overruled.

I. Facts and Procedural History

{¶ 3} Appellee filed a complaint against Appellants, and four other parties, on April 21, 2009, seeking to foreclose on Appellants' residence (the "Property") in Dayton. Shortly afterward, Appellee moved for a stay because it had reached a workout agreement with Appellants, and on November 9, 2009, the trial court administratively dismissed the case. The workout agreement, however, proved to be unsuccessful.

{¶ 4} On May 20, 2010, the trial court returned the case to its active docket. The trial court granted summary judgment in Appellee's favor in its judgment entry of November 11, 2010, which included a foreclosure decree. Appellants appealed the judgment, and this court affirmed. *Bank of New York Mellon v. Ackerman*, 2d Dist. Montgomery No. 24390, 2012-Ohio-956, ¶ 1.

{¶ 5} Freshzone Products, Inc., a corporation owned by Appellants, submitted the winning bid for the Property at a sheriff's sale on May 3, 2013, and made a 10 percent down payment. The trial court entered a confirmation of sale on June 20, 2013, but the corporation failed to tender the balance due within 30 days thereafter as required by R.C. 2329.30. On February 3, 2014, the trial court vacated the confirmation of sale; set the sale aside; found the corporation to be in contempt of court; and ordered that the down payment be forfeited to Appellee. Effective February 26, 2014, the trial court further ordered, with respect to any future sale, that Appellants and the corporation be required to pay the full amount of a winning bid in certified funds immediately, or otherwise be prohibited from bidding.

{¶ 6} Appellants submitted the winning bid for the Property at a sale held on February 17, 2017. Although they made a down payment of $5,000 at that time, they violated the court's order of February 26, 2014, by failing to pay the full amount of their bid. In its order of April 20, 2018, adopting a magistrate's decision, the trial court set the sale aside; found Appellants to be in contempt of court; ordered that the down payment made by Appellants be forfeited to Appellee; and imposed restrictions on Appellants' ability to bid at any future sale. On May 21, 2018, Appellants timely filed their notice of appeal.

II. Analysis

{¶ 7} Appellants' brief is not compliant with App.R. 16(A), most notably for the omission of any assignments of error.[1] Nevertheless, Appellants present several arguments that could be construed as assignments of error, and we address those arguments in this opinion.

{¶ 8} First, Appellants move for a stay of further proceedings in the trial court "pending the completion of their other related and predicating profound deprivation of constitutional rights case matters." Appellants' Br. 2. The cases to which Appellants refer are Case No. 2000 CV 01472 and Case No. 2003 CV 09499. *Id.* Neither of these cases is related to the instant action as a matter of law, and Appellants' motion for a stay is accordingly overruled. *See Bank of New York Mellon v. Ackerman*, 2d Dist. Montgomery No. 24390, 2012-Ohio-956, ¶ 2, fn.1; Final and Appealable Decision and Entry Overruling Defendants' Objections to the Magistrate's Decision 4-5 and 8, Apr. 20, 2018.

{¶ 9} Second, Appellants argue that the trial court violated 28 U.S.C. 1657(a) by issuing a foreclosure decree before the entry of final adjudication in Case Nos. 2000 CV 01472 and 2003 CV 09499. Appellants' Br. 4-5. Yet, even assuming for sake of analysis that the statute applies to state courts, it mandates the prioritization only of actions brought under Title 28, Chapter 153 of the United States Code, pertaining to writs of habeas corpus; actions brought under 28 U.S.C. 1826, pertaining to recalcitrant witnesses; or actions for temporary or preliminary injunctive relief. 28 U.S.C. 1657(a).

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[1] In its response, Appellee argues only that the appeal should be dismissed as the result of Appellants' non-compliance with App.R. 16.

Thus, the trial court could not have violated 28 U.S.C. 1657(a), because neither Case No. 2000 CV 01472, nor Case No. 2003 CV 09499, was an action subject to mandatory prioritization under the statute.

{¶ 10} Third, Appellants argue that Appellee acted maliciously and in bad faith by attempting to proceed with a sheriff's sale on August 31, 2018, despite Appellants' filing of a petition for a writ of certiorari to the United States Supreme Court. Appellants' Br. 3. We take judicial notice, however, of the fact that the attempted sale in question was cancelled on August 30, 2018, and also of the fact that the Supreme Court denied Appellants' petition on October 1, 2018. Evid.R. 201(B)-(C); *State ex rel. Everhart v. McIntosh*, 115 Ohio St.3d 195, 2007-Ohio-4798, 874 N.E.2d 516, ¶ 7-8 and 10; *State v. Banks*, 2d Dist. Montgomery No. 25541, 2013-Ohio-4394, ¶ 21, fn.1, quoting *State v. Raymond*, 10th Dist. Franklin No. 08AP-78, 2008-Ohio-6814, ¶ 16; *In re Helfrich*, 5th Dist. Licking No. 13 CA 20, 2014-Ohio-1933, ¶ 35. Appellants' argument concerning the attempted sale on August 31, 2018, is consequently moot.

{¶ 11} Fourth, Appellants argue that the trial court violated their constitutional right to a trial by jury, and fifth, Appellants argue that Appellee breached a loan modification agreement by filing its complaint against them. Appellants' Br. 5-7. Given that we have previously considered and rejected the same arguments, they are barred by the doctrine of res judicata. *See Bank of New York Mellon v. Ackerman*, 2d Dist. Montgomery No. 24390, 2012-Ohio-956, ¶ 16-22. The "doctrine of res judicata 'bars all claims that were litigated in a [previous] action[,] as well as claims [that] might have been litigated in that action.' " *Bank of New York Mellon v. Ackerman*, 2d Dist. Montgomery No. 26779, 2016-Ohio-960, ¶ 19, quoting *Deaton v. Burney*, 107 Ohio App.3d 407, 669 N.E.2d 1 (2d

Dist.1991).

III. Conclusion

{¶ 12} We find that Appellants' arguments lack merit. Therefore, the trial court's order of April 20, 2018, is affirmed, and Appellants' motion for a stay under App.R. 7 is overruled.

. . . .

WELBAUM, P.J. and DONOVAN, J., concur.

Copies sent to:

Scott A. King
Terry W. Posey, Jr.
Gregory Thomas Ackerman
Michele Phipps
Hon. Dennis J. Langer

IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
MONTGOMERY COUNTY

BANK OF NEW YORK MELLON	
Plaintiff-Appellee	C.A. CASE NO. 26779
v.	T.C. NO. 09CV3194
GREGORY T. ACKERMAN, et al.	(Civil appeal from Common Pleas Court)
Defendant-Appellant	

. . . .

OPINION

Rendered on the 11th day of March, 2016.

. . . .

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GREGORY T. ACKERMAN, 556 Shadowlawn Avenue, Dayton, Ohio 45419
Defendant-Appellant

. . . .

DONOVAN, P.J.

{¶ 1} This matter is before the Court on the pro se Notice of Appeal of Gregory T. Ackerman and Joyce L. Ackerman, filed July 29, 2015. The Ackermans appeal from the June 29, 2015 "Final and Appealable Decision, Order and Entry Overruling Defendants' Motion for Relief from Judgment," issued in favor of The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Bear Stearns Asset-Backed Certificates, Series 2005-SD1 ("BNYM"). We hereby affirm the judgment of the trial court.

{¶ 2} BNYM filed a complaint in foreclosure against the Ackermans on April 21, 2009, seeking judgment on the balance due on a Note and to foreclose on a Mortgage securing the payment of the Note. The subject property is located at 556 Shadowlawn Avenue. On November 11, 2010, the trial court granted BNYM's Motion for Summary Judgment and entered a Decree in Foreclosure. This Court affirmed the decision of the trial court in *Bank of N.Y. Mellon v. Ackerman*, 2d Dist. Montgomery No. 24390, 2012-Ohio-956.

{¶ 3} On May 3, 2013, the Shadowlawn property was sold to Freshzone Products, Inc. ("Freshzone"), for $73,100.00 at sheriff's sale; Freshzone paid 10% of the purchase price as a down payment, and the sale was confirmed on June 20, 2013. On August 23, 2013, BNYM filed a "Motion to Vacate Journal Entry Confirming Sale, to Set Aside Sheriff's Sale and to Punish Purchaser as for Contempt." According to BNYM, Freshzone failed to remit to the Sheriff the balance of its successful bid. On January 16, 2014, the magistrate sustained BNYM's motion.

{¶ 4} On February 3, 2014, the trial court adopted the magistrate's decision. On the same day, the Ackermans filed both objections to the magistrate's decision and "Defendant's Motion for Leave of Court to File 'Out of Rule.' " On February 4, 2014 the court issued an "Order and Entry Finding Defendant's Motion for Leave of Court to File 'Out of Rule' to be Moot." The court determined that the Ackermans' objections were untimely since "Defendants had until January 31, 2014 to file their objections to the magistrate's decision." The court determined as follows:

The Court further finds in *Defendant's Objections to Magistrate Judge Decision* that Defendants do not move the Court's *Judgment Entry Adopting Magistrte's Decision* to be vacated pursuant to Civ.R. 60(B) or otherwise, nor have Defendants appealed the Court's final judgment entry pursuant to App.R. 4. Although Defendants' opportunity to initiate an appeal of the Court's final judgment entry remains as of the date of this entry, the Court must interpret *Defendant's Objections to Magistrate Decision* as a motion for reconsideration. Therefore, upon consideration made pursuant to [*Murray v. Goldfinger*, 2d Dist. Montgomery No. 19433, 2003-Ohio-459, ¶ 5], the Court finds *Defendant's Objections to Magistrate Judge Decision* to be a nullity, and thus moot. For purposes of clarity, this entry shall not be considered a final appealable order.

{¶ 5} On February 11, 2014, the Ackermans filed a "Judicial Notice of Time Upon Defendant's Objections to the Magistrate Judge Decision," in which they argued that their objections were timely filed, citing Civ.R. 5(B)(2)(c) and Civ.R. 6. On February 13, 2014, the court issued a "Notice to Parties on Defendants' Judicial Notice of Time Upon Defendant's Objections to the Magistrate Judge Decision." Therein the court noted that the Ackermans failed to appeal its decision adopting the magistrate's decision and were accordingly limited to seeking relief pursuant to Civ.R. 60(B). The court noted as follows: "However, [the Ackermans] merely rely on Civ.R. 6 in their 'Judicial Notice.' " Civ.R. 6 provides in relevant part: "Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other document upon that party and the notice or paper is served upon that party by mail or commercial carrier service under Civ.R. 5(B)(2)(c) or (d), three days shall be added to the prescribed period. * * *." Civ.R. 6(D). The Court concluded that "although [the Ackermans] move the Court in their 'Judicial Notice,' because such notice is not captioned as a motion nor does it rely upon Civ.R. 60(B), the Court cannot rule on the merits of any motion therein." The court noted, "for the sole purpose of clarity to the parties," that the three additional days provided in Civ.R. 6 does not apply to extend the 14-day time period for filing objections to a magistrate's decision, citing in part, *Duganitz v.Ohio Adult Parole Auth.*, 92 Ohio St.3d 556, 558, 751 N.E.2d 1058 (2001).

{¶ 6} On February 19, 2014, the Ackermans filed a "Motion for 2nd Judicial Notice Request Pursuant to Evid.R. 102 and Substantial Rights, Motion for Time (Civ.R.6) Upon Defendant's Timely Objections to Magistrate Judge Decision, Motion for Relief Pursuant to Civ.R. 60(A) and (B)," asking the court to vacate its judgment adopting the magistrate's decision. In a section entitled "Substantive Law and Substantive Right," the Ackermans cited Civ.R. 53 and Civ.R. 6, and they asserted in part as follows:

> * * *[T]he Defendant's (sic) objection to the magistrate decision are (sic) timely, authorized and conforming to these Ohio Rules of Civil Procedure for objecting the magistrate's decision, which is due by time computation on February 03, 2014. A show cause of 14 days to file "objections to magistrate decision", plus 3 days "service by mail", plus, 1 day for the "next succeeding day which is not, . . . a Sunday" equals 18 days from the magistrate decision filed on January 16, 2014. In conclusion, the court's "Judgment Entry Adoption of the Magistrate's Decision" filed on February 03, 2014 at 3:43 PM is premature and imprudent to the

Defendant's (sic) fair objection to the magistrate decision, and moot to this court proceeding.

{¶ 7} In a section entitled "Motion for Relief from Judgment or Order," the Ackermans asserted as follows:

> The Defendants motion the court with good cause and timely show cause merit (sic) in presenting their valid adjudicative facts and proper conclusions of law for remedies of relief, have timely filed their "Defendant's Objections to the Magistrate Judge Decision" on February 03, 2014 for non-prejudicial sua sponte action of the court based on these above invoked rules of law. The Defendants now also invoke Civ.R. 60(A) and (B) for addition[al] measures of remedies of relief from all judgments and orders pursuant to this court's; oversight, omission and mistakes * * *.

{¶ 8} BNYM replied to the motion on March 5, 2014, asserting that "[a]lthough Defendants cite to Civil Rule 60(B), they make no reference to how this Rule applies to their case, nor do they raise any error upon which their Motion is based." Also on that date, the Ackermans filed a Notice of Appeal, which resulted in Montgomery County Case No. CA 26118, which this Court dismissed on March 31, 2015 for failure to file an appellate brief and prosecute the appeal. The trial court did not rule upon the Ackermans' February 19, 2014 motion while the appeal was pending.

{¶ 9} In ruling in favor of BNYM and denying the Ackermans' motion on June 29, 2015, the trial court initially quoted Civ.R. 53(D)(4)(e)(i), which provides that "[i]f the court enters a judgment during the fourteen days permitted by Civ.R. 53(D)(3)(b)(i) for the filing of objections, the timely filing of objections to the magistrate's decision shall operate as an automatic stay of execution of the judgment until the court disposes of those objections * * *." The court noted that this rule does not apply herein, since the court's entry adopting the magistrate's decision was filed 18 days after the magistrate's decision was issued, and accordingly, the Ackermans were not entitled to an automatic stay. After noting that it had previously addressed the Ackermans' argument that the court erred in in its computation of time for the filing of objections to a magistrate's decision in the court's February 13, 2014 "Notice to Parties on Defendants' Judicial Notice of Time Upon Defendant's Objections to the Magistrate Judge Decision" the court concluded that it "has not yet addressed" the Defendants' request for relief from Judgment pursuant to Civ.R. 60.

{¶ 10} The court then considered Civ.R. 60(A) and (B) and conducted the following analysis:

> * * *
>
> With respect to Defendants' request that the Court invoke Civ.R. 60(A), the Court finds such arguments to be unpersuasive, as the Court's previous *Judgment Entry Adopting Magistrate Decision* contains no clerical errors or omissions which would permit relief under this rule. * * *In the instant matter, the Defendants are arguing that the Court made a legal and/or factual mistake in its computation of the time for filing objections to the *Magistrate's Decision*, which is substantive in nature and therefore governed by Civ.R. 60(B). * * * Accordingly, the Defendants' motion will be considered under Civ.R. 60(B).
>
> With respect to Civ.R. 60(B), the Court acknowledges that it is

without authority to sua sponte vacate its previous judgment entries under this rule, and that it must consider the merits of the Defendants' arguments. * * * Upon consideration of the respective arguments of the parties, the Court finds that the Defendants have failed to demonstrate that they are entitled to relief under Civ.R. 60(B). The Defendants have not specified that they are entitled to relief under one of the grounds of Civ.R. 60(B)(1) through (5), which is a requirement under the *GTE [Automatic Electric, Inc. v. ARC Industries, Inc.*, 47 Ohio St.2d 146, 351 N.E.2d 113 (1976)] test. * * * Even if this Court were to construe the Defendants' argument that the Court was mistaken in its computation of time for the filing of objections as a motion for relief from judgment pursuant to Civ.R. 60(B)(1), the Second District Court of Appeals has held that " ' a motion for relief from judgment cannot be predicated upon the argument that the trial court made a mistake in rendering its decision.' " * * * Accordingly, the Defendants have failed to meet the second prong of the *GTE* test. * * * Further, the Defendants have failed to present a meritorious defense as required under the first prong of the *GTE* test. * * *

Accordingly, the Defendants failed to meet the first and second prongs of the *GTE* test. * * * As the Defendants have failed to make a prima facie showing that the ends of justice would be better served by setting aside this Court's previous judgments, the Court hereby overrules *Defendants' Motion for Relief from Judgment*, the sole remaining issue as contained in Defendants' *Motion for 2nd Judicial Notice Request of*

Defendant's Objections to the Magistrate Judge Decision.

{¶ 11} Prior to addressing the Ackermans' assigned errors herein, we note that the caption of their brief contains a jury demand, and that the body of their brief contains a motion for appointment of counsel. A jury demand is not properly asserted in an appellate brief, and this Court denied the Ackermans' motion for appointment of counsel by entry dated Nobember 24, 2015.

{¶ 12} The Ackermans assert two lengthy assignments of error herein which may be summarized together; according to the Ackermans, the trial court created a "prejudicial omission" of the automatic stay provided for in Civ.R. 53(D)(3)(b)(i), and further, the Ackermans assert that their objections were timely filed based upon the application of Civ.R. 6. BNYM responds that the Ackermans are not entitled to relief under Civ.R. 60. In Reply, the Ackermans assert that their "timely filed" objections are a "meritorious defense invoking an 'automatic stay' of the proceedings (beginning 02/03/2014)."

{¶ 13} Civ.R. 60 provides as follows:

> (A) Clerical mistakes
>
> Clerical mistakes in judgments, orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time on its own initiative or on the motion of any party and after such notice, if any, as the court orders. * * *
>
> (B) Mistakes; inadvertence; excusable neglect; newly discovered evidence; fraud; etc.
>
> On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order or proceeding

for the following reasons: (1) mistake, inadvertence, surprise or excusable neglect; (2) newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59(B); (3) fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation or other misconduct of an adverse party; (4) the judgment has been satisfied, released or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application; or (5) any other reason justifying relief from the judgment. The motion shall be made within a reasonable time, and for reasons (1), (2) and (3) not more than one year after the judgment, order or proceeding was entered or taken. A motion under this subdivision (B) does not affect the finality of a judgment or suspend its operation.

The procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules

{¶ 14} This Court reviews the denial of both Civ.R. 60(A) and Civ.R. 60(B) motions for an abuse of discretion. *Brush v. Hassertt*, 2d Dist. Montgomery No. 21687, 2007-Ohio-2419, ¶ 25 ("Because a trial court is in the best position to know what it actually meant, we give considerable deference to its ruling on a Civ.R. 60(A) motion and will not reverse absent an abuse of discretion. * * *."); *Ray v. Ramada Inn N.*, 2d Dist. Montgomery No. 25140, 2012-Ohio-6226, ¶ 8 ("We review the denial of a Civ.R. 60(B) motion for an abuse of discretion."). As this Court has noted:

* * * An "abuse of discretion" means "an attitude that is unreasonable,

arbitrary or unconscionable." * * * " 'It is to be expected that most instances of abuse of discretion will result in decisions that are simply unreasonable, rather than decisions that are unconscionable or arbitrary.' " *Id.*, quoting *AAAA Enterprises, Inc. v. River Place Community Redevelopment*, 50 Ohio St.3d 157, 161, 553 N.E.2d 597 (1990). " 'A decision is unreasonable if there is no sound reasoning process that would support that decision. It is not enough that the reviewing court, were it deciding the issue de novo, would not have found that reasoning process to be persuasive, perhaps in view of countervailing reasoning processes that would support a contrary result.' " *Id.*

(Citation omitted.) *Ray* at ¶ 8.

{¶ 15} Regarding the application of Civ.R.60(A), this Court in *Brush* noted as follows:

" 'The basic distinction between clerical mistakes that can be corrected under Civ.R. 60(A) and substantive mistakes that cannot be [so] corrected is that the former consists of "blunders in execution" whereas the latter consists of instances where the court changes its mind, either because it made a legal or factual mistake in making its original determination, or because, on second thought, it has decided to exercise its discretion in a different manner.' "

(Citations omitted.) *Id.*, ¶ 26.

{¶ 16} As noted above, the Ackermans' motion sought to have the trial court's decision adopting the magistrate's decision vacated. Civ.R. 60(A) by its plain language

IN THE COURT OF APPEALS OF OHIO
SECOND APPELLATE DISTRICT
MONTGOMERY COUNTY

THE BANK OF NEW YORK MELLON	
Plaintiff-Appellee	Appellate Case No. 24390
v.	Trial Court Case No. 09-CV-3194
GREGORY ACKERMAN, et al.	(Civil Appeal from Common Pleas Court)
Defendant-Appellants	

. . . .

OPINION

Rendered on the 9th day of March, 2012.

. . . .

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HALL, J.

{¶ 1} Pro se defendant-appellants Gregory and Joyce Ackerman appeal from a trial court's judgment entering summary judgment for plaintiff-appellee The Bank of New York Mellon on its claim in foreclosure. Finding no error, we affirm.

{¶ 2} In 1995 the Ackermans obtained a $91,000 mortgage to buy their Dayton home. The next year, according to the Ackermans' brief, Joyce became disabled with a range of medical problems. While the Ackermans had purchased a long-term disability insurance policy, the policy apparently does not provide the coverage they thought it did. Eventually, Gregory had to quit working to care for Joyce, and financial hardship for the family followed.[1]

{¶ 3} In April 2009, the bank filed a foreclosure action.[2] But in October of that year the bank asked the trial court to stay the case, saying that it and the Ackermans were working on a loan-modification plan. The court agreed, administratively dismissing the case

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[1]In 2000 the Ackermans filed an action against the insurance company in common-pleas court. That case, *Ackerman v. Fortis Benefits Ins. Co.*, was soon removed to federal district court. From the documents in the record, it appears that the Ackermans did not prevail on their claims. In 2008 they filed a document in the case with the original trial court. The court struck the document, saying that, since the case had been removed to federal court, no action was pending, so it had no jurisdiction. The Ackermans appealed to this Court, and we agreed with the trial court. Because the trial court lacked jurisdiction, we lacked jurisdiction, and we dismissed the appeal. The Ackermans then appealed to the Ohio Supreme Court. That Court declined to hear their appeal.

The Ackermans refer to the disability case frequently in their brief. One of their requests for relief appears to be that we intervene in their appeal before the Ohio Supreme Court, though in what way is not clear. Regardless, we do not have jurisdiction to grant relief in that case. Nor is that case relevant to the present one.

[2]Although the Ackermans did not obtain the mortgage from The Bank of New York Mellon, the bank came to hold their mortgage. Documents attached to the affidavit supporting the bank's summary-judgment motion show how this came to be.

but allowing it to be reactivated on the bank's motion. In May 2010, the bank moved to reactivate the case, saying that efforts to work out a plan had failed. In August 2010, the bank moved for summary judgment. The Ackermans' opposition to summary judgment asked the court to stay the case, saying that they and the bank were working on a plan.

{¶ 4} On November 11, 2010, the trial court entered summary judgment for the bank, concluding that no genuine issue of material fact exists. The court found that all the necessary parties had been properly served and were properly before it. The court also found that the allegations in the bank's complaint were true. In particular, it found that the bank holds the promissory note and mortgage, a valid, first lien on the Ackermans' house. The court further found that the Ackermans breached a condition of the mortgage. According to the bank's affidavit, the Ackermans defaulted on their mortgage when they failed to make a payment in October 2008, so the bank elected to accelerate their payments, making the entire balance owing due. The court found that the Ackermans owed the bank $74,507.87 with interest from September 1, 2008. Finally, the court found that the bank was entitled to foreclose on the mortgage.

{¶ 5} The Ackermans appealed. They now present three assignments of error for our review.

First Assignment of Error

{¶ 6} The Ackermans allege that by filing the foreclosure action the bank engaged in frivolous conduct under R.C. 2323.51. The Ackermans assert that, at the time, they and the bank were engaged in loan-modification discussions. This issue is not properly before us.

{¶ 7} Under R.C. 2323.51, a party may seek an award of court costs, attorney's fees, and other expenses incurred in connection with a frivolous claim, R.C. 2323.51(B)(1), which "is a claim that is not supported by facts in which the complainant has a good-faith belief, and which is not grounded in any legitimate theory of law or argument for future modification of the law." *Jones v. Billingham*, 105 Ohio App.3d 8, 12, 663 N.E.2d 657 (2d Dist.1995). The Ackermans never raised this frivolous-claim issue in the trial court. Nor did they ever seek an award for the expenses they incurred in connection with the bank's claim. Therefore the Ackermans have forfeited their claim under the frivolous-conduct statute.

{¶ 8} Even if the issue were properly before us, we would likely find no error. That modification discussions were ongoing did not bar the bank from seeking foreclosure. The Ohio Supreme Court said in one foreclosure case that "[the lender]'s decision to enforce the written agreements cannot be considered an act of bad faith." *Ed Schory & Sons, Inc. v. Soc. Natl. Bank*, 75 Ohio St.3d 433, 443, 662 N.E.2d 1074, 1996-Ohio-194. The Court then quoted the Seventh Circuit Court of Appeals: "'firms that have negotiated contracts are entitled to enforce them to the letter, even to the great discomfort of their trading partners, without being mulcted for lack of "good faith."'" *Id.*, quoting *Kham & Nate's Shoes No. 2, Inc. v. First Bank of Whiting*, 908 F.2d 1351, 1357 (7th Cir.1990). "Indeed," said the Court, "[the lender] had every right to seek judgment on the various obligations owed to it by [the borrower] and to foreclose on its security." *Id.* In a recent Tenth District foreclosure case, *U.S. Bank Natl. Assn. v. Mobile Assoc. Natl. Network Sys., Inc.*, 195 Ohio App.3d 699, 2011-Ohio-5284, 961 N.E.2d 715, (10th Dist.), before the bank filed a foreclosure action it and the borrowers had agreed in a letter to negotiate about the borrowers' obligations. The borrowers asserted that the letter agreement was a binding contract that modified the loan to require the parties to negotiate. They contended that the bank failed to negotiate, breaching the modified loan. Until the bank negotiated, argued the borrowers, it should be estopped from foreclosing. The Tenth District rejected this argument for several reasons. Pertinent among them, the court said that the bank had the right to initiate foreclosure proceedings. The court found that a provision in the loan documents provided that "the bank was entitled to immediately initiate foreclosure proceedings in the event of default." *U.S. Bank* at ¶ 31. "The bank's decision to pursue its contractual remedies," said the court, "cannot be considered to be an act of bad faith." *Id.*, citing *Ed Schory* at 443. Also, in a Fifth District foreclosure case, *Key Bank Natl. Assoc. v. Bolin*, 5th Dist. Stark No. 2010 CA 00285, 2011-Ohio-4532, the trial court granted summary judgment for the lender on its foreclosure complaint. The borrower argued that the trial court erred and abused its discretion by doing so because the lender acted in bad faith and misrepresented to the borrower that she could participate in a loan modification program. The appellate court rejected this argument. It found that no provision in the mortgage document "prevent[ed] the lender from insisting on the strict performance of the mortgage obligations." *Key Bank* at ¶ 37. And the court found that no provision required the bank to allow the borrower to participate in loan modification.

{¶ 9} Here too, as the bank pointed out in its summary-judgment motion, no provision of the mortgage (or note) requires the bank to participate in loan-modification negotiations or requires it to wait until negotiations it chose to participate in are finished before exercising its right to foreclose. Rather, a mortgage provision gives the bank the right, on the Ackermans' breach, to pursue full payment and foreclosure without first satisfying any conditions.[3] Specifically, paragraph 21 of the mortgage provides that if the Ackermans do not timely cure any breach, the bank has the right to "require immediate payment in full of all sums secured by this Security Instrument without further demand and may foreclose this Security Instrument by judicial proceeding."

{¶ 10} The first assignment of error is overruled.

Second Assignment of Error

{¶ 11} The Ackermans allege that the trial court erred by entering the foreclosure judgment on November 11, Veterans' Day. They contend that this day is a "legal holiday" under R.C. 1.14 and a day when courts are closed. We find no error.

{¶ 12} R.C. 1.14 provides that "the time within which an act is required by law to be done shall be computed by excluding the first and including the last day; except that, when the last day falls on Sunday or a legal holiday, the act may be done on the next succeeding day that is not Sunday or a legal holiday." This section also provides that "when a public office in which an act, required by law, is to be performed is closed to the public for the entire day that constitutes the last day for doing the act or before its usual closing time on that day, the act may be performed on the next succeeding day that is not a Sunday or a legal holiday as defined in this section." Included in this section's definition of "legal holiday" is November 11, Veterans' Day. R.C. 1.14(H). But filing a judgment is not an act for which the law sets a time for performance. Furthermore, as the bank points out, Local Rule 1.37 of the Montgomery County Court of Common Pleas allows not only litigants but also courts

[3]The only condition precedent is proper notice. The Ackermans do not claim that the bank failed to give them proper notice.

to electronically file documents "twenty-four (24) hours a day, seven (7) days a week." Mont. Co. C. P. R. 1.37(IX)(A). The rule makes no exception for holidays.

{¶ 13} The Ohio Supreme Court has said that, "in the absence of a statute containing a mandatory provision forbidding the judges of courts to hear and determine matters on a legal holiday, a judicial proceeding upon such day is not void." *Norman v. State*, 109 Ohio St. 213, 227, 142 N.E. 234 (1924). In a Third District case, *State v. Turner*, 3d Dist. Allen No. 1-11-01, 2011-Ohio-4348, the defendant argued that his trial was void because part of it was held during the afternoon of election day, which is a legal holiday in Ohio, *see* R.C. 5.20. The defendant contended that any court business conducted during that time was void. The Third District disagreed. It said that "despite half of the first Tuesday of November being a legal holiday in the State of Ohio, we find no law requiring public agencies, including courts, to cease operations during that time." *Turner* at ¶ 16, citing *Norman* at 227, and *Powell v. New York Cent. RR. Corp.*, 86 Ohio Law Abs. 286, 174 N.E.2d 556 (5th Dist.1960) (finding that it is not unlawful to hold court on a legal holiday). "Rather," continued the court, "we find that it is within a court's discretion to conduct its business on a legal holiday, which consequently includes the afternoon of the first Tuesday of November." *Id.*, citing *Dursa v. Dursa*, 78 Ohio Law Abs. 498, 150 N.E.2d 306, 308 (1958), citing *State v. Thomas*, 61 Ohio St. 444, 56 N.E. 276 (1900), and *Norman*. In Ohio, Veterans' Day is the eleventh of November and is a legal holiday. R.C. 5.21. Even so, like the Third District, we conclude that it was within the trial court's discretion to conduct business on that day, which included entering the appealed judgment.

{¶ 14} The question becomes, then, whether by entering the judgment in this case the trial court abused its discretion. The Third District, in considering whether the trial court abused its discretion in holding court during a legal holiday, looked to the regularity of the court's proceedings, finding no abuse of discretion: "Upon review of the record, particularly the trial proceedings, there is nothing to suggest that the trial proceeded in an inappropriate or irregular manner." *Turner* at ¶ 17. Likewise, we find no abuse of discretion in this case. Nothing appears irregular about the judgment entry. Each electronically filed document receives an electronic stamp that includes the date and time it was filed. Mont. Co. C. P. R. 1.37(IX)(B). A judge signs an electronic document "via a digitalized image of his or her signature combined with a digital signature." Mont. Co. C. P. R. 1.37(VIII)(D)(4). The foreclosure judgment here was electronically signed by the judge and bears an electronic stamp. We observe too that notice of the judgment's entry was sent to the Ackermans on November 18 (according to the trial court's docket) and the Ackermans timely appealed it on December 13. The Ackermans do not claim that they were harmed by the court's action. And nothing in the record suggests that they were.

{¶ 15} The second assignment of error is overruled.

Third Assignment of Error

{¶ 16} Lastly, the Ackermans allege that the trial court erred by ordering foreclosure. They contend that on June 16, 2010, they signed and notarized a loan-modification agreement with the bank and they have been "willing and able to pay each month" under its terms. The agreement they submitted may not properly be considered.

{¶ 17} "Civ.R. 56 defines the standard to be applied when determining whether a summary judgment should be granted. Civ.R. 56(C) mandates the entry of summary judgment if the evidence, properly submitted, shows that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." *Todd*

Dev. Co., Inc. v. Morgan, 116 Ohio St.3d 461, 2008-Ohio-87, 880 N.E.2d 88, ¶ 11. Civ.R. 56(C) provides that the only types of evidence that may be considered are pleadings, depositions, answers to interrogatories, written admissions, affidavits, transcripts of evidence, and any written stipulations of fact. The rule is clear: "No evidence or stipulation may be considered except as stated in this rule." Civ.R. 56(C). "Other types of documents may be introduced as evidentiary material only through incorporation by reference in a properly framed affidavit." *Mitchell v. Internatl. Flavors & Fragrances, Inc.*, 179 Ohio App.3d 365, 2008-Ohio-3697, 902 N.E.2d 37, ¶ 17 (1st Dist.). The loan-modification agreement here is not one of the types of evidence listed in the rule. And the Ackermans did not submit an affidavit in support of the document.

{¶ 18} "Civ.R. 56(E) states that when a motion for summary judgment is properly made and supported, the nonmoving party may not rest upon the mere allegations or denials of the pleadings. Instead, the burden shifts to the nonmoving party, and the nonmoving party's response must set forth specific facts showing that there is a genuine issue for trial." *Todd* at ¶ 11. The response may be "by affidavit or as otherwise provided in th[e] rule." Civ.R. 56(E). "If the nonmoving party does not so respond, summary judgment, if appropriate, may be entered against the nonmoving party." *Todd* at ¶ 11, citing Civ.R. 56(E).

{¶ 19} The bank submitted an affidavit from the vice president of loan documentation for the bank's servicing agent containing all the averments necessary to support the bank's motion, including that the Ackermans are in default under the terms of the note and mortgage. The Ackermans' response fails to present any Civ.R. 56 evidence showing that a genuine issue of material fact exists. The Ackermans might have met their

Civ.R. 56(E) burden on the default issue if they had contested the averments in the bank's affidavit with an affidavit of their own incorporating the loan-modification agreement. But the Ackermans did not do so. Summary judgment is appropriate, and the trial court properly entered it.

{¶ 20} The third assignment of error is overruled.

{¶ 21} Finally, we respond briefly to what appears to be the Ackermans' fundamental desire in this case. In their reply brief, the Ackermans wrote:

> The Appellant herein simply seeks the legal standard of a "trial by jury," and respectfully demand the legal compliance to the rule(s) of Ohio law and United States law, upon a "jury demand" made in a court of law. A fundamental and functional protection of all citizens of their "inalienable rights" and "inviolate" right to a trial by jury on all genuine legal issues of material facts for a jury to decide in civil and criminal actions.

The Ackermans do not have a right to trial by jury in this case because the trial court properly granted summary judgment in favor of the plaintiff. *See State Farm Mut. Auto. Ins. Co. v. Advanced Impounding & Recovery Servs.*, 165 Ohio App.3d 718, 2006-Ohio-760, 848 N.E.2d 534, ¶ 19 (10th Dist.) (saying that a trial court's grant of summary judgment does not violate the constitutional right to a jury trial under Ohio's constitution); *Goodin v. Columbia Gas of Ohio, Inc.*, 141 Ohio App.3d 207, 231, 750 N.E.2d 1122 (4th Dist.2000) (finding no merit in the appellant's argument that summary judgment violated his right to trial by jury, noting that "the Rules of Civil Procedure expressly authorize the summary judgment procedure, and the Ohio Supreme Court consistently has sanctioned the procedure").

{¶ 22} All of the assignments of error presented are overruled. The judgment of the trial court is affirmed.

. . . .

DONOVAN and FROELICH, JJ., concur.

Copies mailed to:

Mathias H. Heck
George Patricoff
Scott A. King
Terry W. Posey, Jr.
Ashley Rothfuss
Kimberlee Rohr
Gregory Ackerman
Joyce Ackerman
Hon. Dennis J. Langer

Appendix B

RECOMMENDED FOR PUBLICATION
Pursuant to Sixth Circuit I.O.P. 32.1(b)

File Name: 20a0037p.06

UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT

THE BANK OF NEW YORK MELLON,
Plaintiff-Appellee,

v.

GREG T. ACKERMAN; JOYCE ACKERMAN,
Defendants-Appellants.

No. 19-4066

Appeal from the United States District Court
for the Southern District of Ohio at Dayton.
No. 3:19-cv-00053—Thomas M. Rose, District Judge.

Decided and Filed: February 6, 2020

Before: COOK and THAPAR, Circuit Judges; HOOD, District Judge.*

OPINION

PER CURIAM. More than a decade ago, the Bank of New York began foreclosure proceedings against Greg and Joyce Ackerman. In 2010, an Ohio court entered judgment in the Bank's favor. Yet since that time, the Ackermans have sought to thwart the foreclosure sale.

Early last year, the Ackermans tried to remove their case to federal court. But the district court concluded that it lacked jurisdiction and thus remanded their case back to state court. The Ackermans appealed. Our court dismissed their appeal for lack of jurisdiction. *See* 28 U.S.C. § 1447(d); *Bank of N.Y. Mellon v. Ackerman*, No. 19-3379, 2019 WL 3335006, at *1 (6th Cir. June 21, 2019).

*The Honorable Joseph M. Hood, United States District Judge for the Eastern District of Kentucky, sitting by designation.

Later, the Ackermans moved the district court to reconsider its remand order. But the district court denied their motion, reasoning that it lacked jurisdiction to reconsider its order. Again, the Ackermans appeal. And again, we dismiss their appeal for lack of jurisdiction.

Other circuits have construed § 1447(d) as precluding further reconsideration or review of a district court's order remanding a case back to state court. *See Brierly v. Alusuisse Flexible Packaging, Inc.*, 184 F.3d 527, 531 & n.1 (6th Cir. 1999) (collecting cases). These decisions have reasoned that a remand divests the district court of any further jurisdiction over the case. *See, e.g., In re La Providencia Dev. Corp.*, 406 F.2d 251, 253 (1st Cir. 1969) ("The district court has one shot, right or wrong."). Our circuit has yet to squarely resolve the issue, but the case law strongly suggests that the district court correctly held that it lacked jurisdiction. *See Gibson v. Am. Mining Ins. Co.*, Civil Action No. 08-118-ART, 2008 WL 4858396, at *1 (E.D. Ky. Nov. 7, 2008) (collecting cases); *see also Jackson v. Sloan*, 800 F.3d 260, 261 (6th Cir. 2015) (noting the ordinary transfer rule that "[j]urisdiction follows the file . . . meaning that the one court loses jurisdiction and the other court gains it when a case file physically moves between courts" (cleaned up)).

In any event, our court lacks appellate jurisdiction to review an order denying a motion to reconsider a remand order. *See Agostini v. Piper Aircraft Corp.*, 729 F.3d 350, 352–55 (3d Cir. 2013); *cf. Christopher v. Stanley-Bostitch, Inc.*, 240 F.3d 95, 98–99 (1st Cir. 2001) (per curiam). To hold otherwise would "circumvent the jurisdiction-stripping function of § 1447(d)." *Agostini*, 729 F.3d at 352. While § 1447(d) carves out two exceptions to its general rule (for removal under § 1442 or § 1443), those exceptions have no bearing here. And because we lack appellate jurisdiction, we dismiss the Ackermans' various other motions for relief. *See, e.g., In re Champion*, 895 F.2d 490, 492 (8th Cir. 1990) (per curiam); *Emp'rs Ins. of Wausau v. Shell Oil Co.*, 820 F.2d 898, 899 (7th Cir. 1987).

We dismiss the appeal.

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CASE NUMBER: 2017 CV 01237 Docket ID: 31207324
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CLERK OF COURTS MONTGOMERY COUNTY OHIO

COURT OF COMMON PLEAS

MONTGOMERY COUNTY, OHIO
CIVIL DIVISION

U.S BANK NATIONAL ASSOCIATION AKA U.S. BANK N.A.	**CASE NO. 2017CV 01237**
Plaintiff,	**JUDGE: STEVEN K. DANKOF**
-vs-	**NOTICE AND FILING OF CLAIM OF INTEREST IN LAND**
HADASSAH L. CONRAD AKA HADASSAH LEAH CONRAD, et al.	**MOTION FOR STAY OF SHERIFF SALE**
Defendant,	

GREG T. ACKERMAN,

Third party interest,

****

Respectful to this court, and not for delay upon recent discovery of foreclosure sale, comes now Gregory T. Ackerman, with a meaningful notice and filing of claim of interest in land at 557 Shadowlawn Ave., Dayton, Ohio 45419. See Exhibit A. Property at issue.

Greg T. Ackerman (Third party interest) is a residing neighbor at 556 Shadowlawn Ave., Dayton, Ohio (across street) with a claim of interest, objective use, and enjoyment of the property at 557 Shadowlawn Ave. Dayton, Ohio 45419 for the past 29 years (1997).

Pursuant to Ohio Revised Code 5301.51 (Preservation of interest in land) and 5301.52 (Notice and filing of claim of interest in land), the Third Party Interest (Greg T. Ackerman) respectfully moves this court for a 31 day extension of time, or until September 11, 2017, to file a "Recording affidavit relating to title" (Ohio Revised Code 5301.252 (Recording affidavit relating to title), as

Appendix D

Electronic Tip Form

Complete

Thank you for your submission.

- Submit your tip only once.
- Your tip is very important to us; however, we cannot guarantee you will be contacted with regard to your tip.

Privacy Act Statement

This website is designed to allow you to provide tip information to the FBI to assist with its investigative and national security missions as set forth in 28 U.S.C. Chapter 33 and additional federal laws and executive orders. You are not required to provide your name or other personal information; however, your failure to supply requested information may impede or preclude the investigation of your tip by law enforcement agencies. By voluntarily providing information on this page, you are consenting to the FBI's use and maintenance of the information. Any information you provide on this website may be used for investigative purposes and may be shared as required by law or for other routine uses as permitted by the Privacy Act of 1974 and all applicable routine uses as may be published at any time in the Federal Register, including routine uses for the FBI's Central Records System, the FBI's Data Warehouse System, and the FBI's blanket routine uses. Visit the FBI's privacy policy page (https://www.fbi.gov/privacy_policy) for more information on the FBI's general privacy policy.

ıbmit a Tip: deral Trade ommission
www.ftc.gov/faq/consumer-on/submit-ıer-complaint-ftc)

Submit a Tip: Internet Crime Complaint Center (IC3)
(https://www.ic3.gov/default.aspx)

Submit a Tip: Drug Enforcement Administration
(https://www.dea.gov/submit-tip)

Submit a Tip: Department of Homeland Security
(https://www.ice.gov/webform/hsi-tip-form)

Submit a Tip: National Center for Missing & Exploited Children
(http://www.missingkids.com/gethelpnow/cybertipline)

Submit a Tip: Treasury Inspector General for Tax Administration
(https://www.treasury.gov/tigta

United States Department of Justice
Civil Rights Division
civilrights.justice.gov

Thank you for submitting a report to the Civil Rights Division.

Report successfully submitted

Please save your record number for tracking.

Your record number is: **141327-FSQ**

What to expect

1 We review your report

Our specialists in the Civil Rights Division carefully read every report to identify civil rights violations, spot trends, and determine if we have authority to help with your report.

2 Our specialists determine the next step

We may decide to:
Open an investigation or take some other action within the legal authority of the Justice Department.
Collect more information before we can look into your report.
Recommend another government agency that can properly look into your report. If so, we'll let you know.

In some cases, we may determine that we don't have legal authority to handle your report and will recommend that you seek help from a private lawyer or local legal aid organization.

3 When possible, we will follow up with you

We do our best to let you know about the outcome of our review. However, we may not always be able to provide you with updates because:
We're actively working on an investigation or case related to your report.
We're receiving and actively reviewing many requests at the same time.

If we are able to respond, we will contact you using the contact information you provided in this report. Depending on the type of report, response times can vary. If you need to reach us about your report, please refer to your report number when contacting us. This is how we keep track of your submission.

United States Department of Justice
Civil Rights Division
civilrights.justice.gov

Thank you for submitting a report to the Civil Rights Division.

Report successfully submitted

Your record number is: **141323-BFB**

What to expect

① We review your report

Our specialists in the Civil Rights Division carefully read every report to identify civil rights violations, spot trends, and determine if we have authority to help with your report.

② Our specialists determine the next step

We may decide to:
Open an investigation or take some other action within the legal authority of the Justice Department.
Collect more information before we can look into your report.
Recommend another government agency that can properly look into your report. If so, we'll let you know.

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United States Department of Justice
Civil Rights Division
civilrights.justice.gov

Thank you for submitting a report to the Civil Rights Division.

Report successfully submitted

Please save your record number for tracking.

Your record number is: **141329-LLH**

What to expect

① We review your report

Our specialists in the Civil Rights Division carefully read every report to identify civil rights violations, spot trends, and determine if we have authority to help with your report.

② Our specialists determine the next step

We may decide to:
Open an investigation or take some other action within the legal authority of the Justice Department.
Collect more information before we can look into your report.
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Thank you for submitting a report to the Civil Rights Division.

Report successfully submitted

called 8/13/21 - Left me:

Your record number is: **93135-JTM**

What to expect

1 We review your report

Our specialists in the Civil Rights Division carefully read every report to identify civil rights violations, spot trends, and determine if we have authority to help with your report.

2 Our specialists determine the next step

We may decide to:
Open an investigation or take some other action within the legal authority of the Justice Department.
Collect more information before we can look into your report.
Recommend another government agency that can properly look into your report. If so, we'll let you know.

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