APPENDIX A-1

CIVIL APPEAL FROM THE
UNITED DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JOURNAL ENTRY AND OPINION AND ORDER
NO. 5:22-CV-580

JAMES W. HALL

PLAINTIFF-APPELLANT

VS.

JUDGE TAMMY O'BRIEN
TAMARA J. TODD
JAMES R. SILVER
DONALD GALLICK
OHIO COURT OF CLAIMS AND JUDGES

DEFENDANTS – APPELLEES

JUDGMENT
AFFIRMED

JULY 2022

APPENDIX A-2

APPEAL FROM THE
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

JOURNAL ENTRY AND OPINION AND ORDER
NO. 22-3663

JAMES W. HALL

PLAINTIFF-APPELLANT

VS.

TAMMY O'BRIEN
TAMARA J. TODD
JAMES R. SILVER
DONALD M. GALLICK
OHIO COURT OF CLAIMS AND JUDGES

DEFENDANTS – APPELLEES

JUDGMENT
AFFIRMED

MARCH 21, 2023

APPENDIX B-2

Picked up on July 20, 2022 (Wed.)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JAMES WILLIAM HALL, cv-580	)	CASE NO. 5:22-
	)	
PLAINTIFF,	)	JUDGE SARA LIOI
	)	
	)	MEMORANDUM OPINION
	)	AND ORDER
vs.	)	
	)	
JUDGE TAMMY O'BRIEN, *et al,*	)	
	)	
DEFENDANTS,	)	

Pro se plaintiff James William Hall ("Hall") filed this action under 42 U.S.C. § 1983 against Summit County Common Pleas Court Judge Tammy O'Brien, Akron Municipal Court Magistrate Judge Tamara J. Todd, Attorney James Silver, Attorney Donald Gallick, and the Ohio Court of Claims (collectively, "defendants"). In the complaint, Hall challenges a state court decision regarding payment of attorney fees to Silver. He seeks to relitigate that matter in this Court and assets claims for breach: of contract and violation of unspecified constitutional rights. He requests monetary damages. (See generally Doc. No. 1 (Complaint).)

I. BACKGROUND

Hall's complaint is difficult to decipher. Hall hired Attorney Silver to represent him in three cases: (1) a dog bite case, *Hall v. Gulick,* No. CV-2006-08-5389 (Summit Cnty. Ct. Comm. Pl. 2006); (2) an attorney fee dispute in a black mold case, *Hill, Hardman and Oldfield v. Gilbert,* No.CV-2008-07-5101 (Summit Cnty. Ct. Comm. Pl. 2008); and (3) an attorney malpractice case, *Hall v. Gilbert,* No. CV-10-730009 (Cuyahoga Cnty. Ct. Comm. Pl. Feb. 11, 2014). The present complaint appears to center on Hall's dispute of the payment of Silver's fees in these cases.

A. Dog Bite Case - Hall v. Gulick, No. CV-2006-08-5389

Another attorney filed this action in the Summit County Court of Common Pleas in 2006. The court granted judgment in favor of Hall in the amount of $27,186.14. After obtaining the judgment, the attorney representing Hall could not locate Gulick. Hall hired Attorney Silver to collect the judgment in 2014 for a contingency fee. Silver filed a receiver and transferred the judgment in 2014 but was unable to find Gulick and withdrew from the case in 2015. Silver maintained that he did not collect fees on this case because he was only getting paid on a contingent basis and the judgment was unable to be collected.

B. Attorney Fee Dispute in a Black Moid Case - *Hill, Hardman and Oldfield v. Gilbert,* .No. CV-:2008-07-5101

In 2008, Hall hired Attorney Edward Gilbert to represent him in a black mold case. Unsatisfied with Gilbert's representation, he, fired Gilbert and hired the law firm of Hill, Hardman and Oldfield. This new law firm settled the case. Gilbert then sent a letter to the law firm asking for $12,000.00 of the settlement money as payment for the legal work he had done on

the case. Attorney Hill filed an interpleader asking the trial court to determine whether the fee should be paid. Attorney Hill decided that he could not represent Hall in that action so Hall retained Attorney Silver to represent him in the interpleader in October 2009. They agreed upon a fee of $175.00. November 23, 2009. Hall gave Attorney Silver a check for $6,300.00 for his attorney fees and a check for $64.00 as reimbursement for filing fees. Those checks were issued on November 25, 2009.

C. Attorney Malpractice Case - *Hall v. Gilbert*, No. CV-10-730009 (Cuyahoga Cnty. Comm. Pl. Ct. Feb. 11, 2014)

On June 23, 2010, Silver filed an attorney malpractice action against Gilbert pertaining to Gilbert's representation of Hall in an employment discrimination case. Gilbert obtained an $800,000.00 judgment for Hall but agreed to accept $450,000.00 after the employer declared bankruptcy. After the deduction of attorney fees, Hall received $214,795.59 on his judgment. Hall retained Silver in 2010 and filed the malpractice action against Gilbert and his law firm. The parties eventually settled the case. Hall contends they eventually received$ 77,000.00, although it is not clear whether this was the total amount of the settlement or just the amount paid to Silver for his services.

D. Hall's Actions Filed against Silver

In 201 7, Hall disputed the attorney fee payments to Silver by filing an action against Silver in the Akron Municipal Court. *Hall v. Silver,* No. 17 CVI 1750. He was represented by Attorney Donald Gallick. In that action, Hall claimed that the payment he had given to Silver for $6,364.00 was for collection of the judgment in the dog bite case, not James Silver lied at White represent Mr. Hall in the dog bite rather than the work he performed in the fee dispute in the black

mold case. The case went to trial before Magistrate Judge Tamara J. Todd on November 16, 2018. Magistrate Judge Todd determined that the check written in November 2009 could not have been issued for work that had been contracted for in 2014, but rather was for the work that concluded just two days before the check was written. She also determined that the amount of the check was proportionate to the amount owed no hourly contract signed by both parties in the black mold fee dispute. She granted judgment in favor of Silver. Hall appealed that judgment to the Ohio Court of Appeals and the Supreme Court of Ohio. Both courts affirmed the trial court's judgment in favor of Silver.

Undeterred, Hall filed another case against Silver in the Summit County Court of Common Pleas. *Hall v. Silver,* No. CV-2020-12-3325 (Summit Cnty. Ct. Comm. Pl. 2020). That case, assigned to Judge Tammy O'Brien, is still pending. This case is also based on the dispute over the $6,364:00 Hall paid to Silver in attorney fees.

Hall has now filed this case in federal court again contesting the payment of the $6,364.00 in attorney fees to Silver. He claims his agreement for payment of fees was a flat $175.00 and not $175.00 per hour. He indicates Silver was paid from the settlement in *Hall v. Gilbert.* He contends that the $6,364.00 he paid to Silver was for his collection of the judgment in the dog bite case, and not for his trial and appellate work in the black mold inter pleader case. He claims Silver made untrue statements in the course of his other actions and asserts that Silver violated his constitutional rights. He also seeks damages against Magistrate Judge Tamara Todd and Judge Tammy O'Brien for orders and decisions rendered in his prior actions.

The State of Ohio (Court of Claims), Silver, Todd, and O'Brien each filed a motion to dismiss and/

or motion for judgment on the pleadings. (Doc. Nos. 9, 10, 17, and 26, respectively.) The State of Ohio and Magistrate Judge Todd both claim they are entitled to immunity for suits for damages. The State of Ohio also claims the Court of Claims is not *sui juris*. Todd contends that the statute of limitations for filing an action under 42 U.S.C. § 1983 expired prior to the initiation of this action making it untimely. Silver asserts that the merits of this action have already been litigated in state court and this case is barred by *res judicata*. All defendants assert that Hall failed to state a claim upon which relief may be granted.

II. STANDARD OF REVIEW

When deciding a motion to dismiss under Federal Civil Rule 12(6)(6), the function of the court is to test the legal sufficiency of the complaint. *See Mayer v. Mulod,* 988 F.2d 635, 638 (6th Cir. 1993). The Supreme Court in *Bell Atl. Corp. v. Twombly,* 550 U.S. 544, 555, 127 S. Ct. 1955, 167 L. Ed. 2d 929 (2007) and later in. *Ashcroftv. Iqbal,* 556 U.S. 662, 677-678, 129 S. Ct. 1937, 173 L. Ed. 2d 868 (200.9) clarified the law regarding what the plaintiff must plead in order to survive a motion to dismiss under Rule 12(b)(6).

When determining whether the plaintiff has stated a claim upon which relief can be granted, the court must construe the complaint in the light most favorable to the plaintiff, accept all factual allegations as true, and determine whether the complaint contains "enough facts to state a claim to relief that is plausible on its face." *Twombly*, 550 U.S. at 555. The plaintiff's obligation to provide the grounds for relief "requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." *Id.* Although a complaint need not contain detailed factual allegations, its "factual allegations must be enough to raise a right to relief above the speculative leve l on the assumption-that all the allegations in

the complaint are true." *Id.* The court is "not bound to accept as true a legal conclusion couched as a factual allegation." *Papasan v. Allain,* 478 U.S. 265,286, 106 S. Ct. 2932, 92 L. Ed. 2d 209 (1986).

The Supreme Court in *Iqbal,* 556 U.S. at 677-78, further explained the "plausibility" requirement, stating that "a claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Iqbal,* 556 U.S. at 678. Furthermore, "the plausibility standard is not akin to a 'probability requirement,' but it asks for more than a sheer possibility that a defendant acted unlawfully." *Id.* This determination is a "context-specific task that requires the reviewing court to draw on its judicial experience and common sense." *Id.*

The Sixth Circuit has held that a court may consider allegations contained in the complaint, as well as exhibits attached to or otherwise incorporated in the complaint, all without converting a motion to dismiss to a -motion for summary judgment. Fed. R, Civ. P. 10(c); *Weiner v. Klais & Co.,* 108 F .3d 86, 89 (6th Cir. 1997). A district court may also take judicial-notice of certain public records, including dockets and filings in other cases, on a Rule 12(b)(6) motion. *See Passa v. City of Columbus,* 123 F. App'x 694,695 (6th Cir. 2005).

Furthermore, district courts are permitted to conduct a limited screening procedure and to dismiss, *sua sponte,* a fee,-paid complaint filed by a non-prisoner if.it appears that the allegations are "totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion." *Apple v. Glenn,* 183 F.3d 477, 479 (6th Cir. 1999) (per curiam) (citing *Hagans v. Lavine,* 415 U.S. 528, 536-37, 94 S. Ct. B72, 39 L. Ed. 2d 577 (1974)). Dismissal on a *sua sponte* basis is also authorized where the asserted claims lack an arguable basis in law, or if the district court lacks subject matter jurisdiction over the matter.

Id. At 480; *see Neitzke v. Williams,* 490 U.S. 319, 109 S. Ct. 1827, 104 L. Ed. 2d 338 (1989); *Sistrunkv. City of Strongsville,* 99 F.3d 194, 197 (6th Cir. 1996); *Lawler v. Marshall,* 898 F.2d 1196 (6th Cir. 1990).

III. ANALYSIS

As an initial matter, the issue in this case is nothing more than a contract dispute between Hall and Silver regarding the payment of fees for legal representation. Contract disputes are matters of state law, not federal law, and do not invoke federal court jurisdiction unless diversity of citizenship is present, which is not the situation here. Hall attempts to invoke federal court jurisdiction by citing 42 U.S.C. § 1983. To state a claim under § 1983, a plaintiff must allege (1) a state government official or entity (2) violated a particular constitution right. *Parratt v. Taylor,* 451 U.S. 527,535, 101 S. Ct. 1908, 68 L. Ed. 2d 420 (1981). Hall, however, does not identify a particular constitutional right he believes the defendants violated and none is apparent on the face of the complaint. Absent that critical element, Hall fails to state a claim upon which relief may be granted under§ 1983.

Furthermore, none of the defendants are subject to suit under 42 U.S.C. § 1-983. Silver and Gallick are private attorneys retained by plaintiff to represent him in civil matters. Privately retained attorneys are not considered state government officials under 42 U.S.C. § 1983. *Washington v. Brewer,* No. 91-1935, 1991 WL 243591, at *1 (6th Cir. Nov. 21, 1991); *see also Polk Cnty. v. Dodson,* 454 U.S. 312,321, 102 S. Ct. 312 70 L. Ed. 2d 509 (1981). In addition, judges are absolutely immune from suits for damages based on decisions they made in the court of a case over which they presided. *Mireles v. Waco,* 502 U.S. 9, 9, 112 S. Ct. 286, 116 L. Ed. 2d 9 (1991); *Barnes v. Winchell,* 105 F.3d 1111, 1115 (6th Cir. 1997). Although Hall does not identify any particular claim asserted against Judges 0-'Brien and Todd, his-only allegations pertain to their decisions in the cases before them. They are absolutely

immune from suits for damages that are based on these decisions. Finally, the Ohio Court of Claims is not *sui juris*, meaning it is not an entity under Ohio law that can sue or be sued. *See Carmichael v. City of Cleveland*, 571 F. App'x 426,435 (6th Cir. 2014); *Black v. Montgomery Cnty. Comm. Pl. Ct.*, No. 3:18-cv-00123, 2018 WL 2473560, at * 1 (S.D. Ohio June 4, 2018). Even if those claims could be construed against the State of Ohio, the Eleventh Amendment is an absolute bar to suits for damages against the State. *Latham v. Office of Atty. Gen. of State of Ohio,* 395 F.3d 261,270 (6th Cir. 2005).

Hall's only basis for federal court jurisdiction was his claims under 42 U.S.C. § 1983. As those claims are dismissed, his basis for federal court jurisdiction is gone as well. Supplemental jurisdiction exists whenever state law and federal law claims derive from the same nucleus of operative facts and when considerations of judicial economy dictate having a single trial. *United Mine Workers of Am. v. Gibbs*, 383 U.S. 715, 724, 86 S. Ct. 1130, 16 L. Ed. 2d 218 (1966). The court, however, may exercise discretion in hearing state law matters. *Id.* at 726. In cases where the court, however, may exercise discretion in hearing state law matters. *Id.* at 726. In cases where the federal law claims are dismissed before trial, the state law claims should also be dismissed. *Id.* Having dismissed Hall's federal law claims, this Court declines jurisdiction to hear Hall's state law claims for breach of contract.

Finally, even if this Court exercised supplemental jurisdiction over Hall's breach of contract claims, they are barred by *res judicata.* The term "*res judicata*" literally means "a matter [already] judged." The doctrine of *res judicata* bars duplicative litigation based on the same event or events. *Montana v. United States,* 440 U.S. 147, 153, 99 S. Ct. 970, 59 L. Ed. 2d 210 (1979); *Parklane Hosiery Co., Inc. v. Shore*, 439 U.S. 322, 326, 99 S. Ct. 645, 58 L. Ed. 2d 552 (1979). When one court has already resolved the merits of a case, another court will not revisit them. *Id.* The doctrine of *res judicata,* therefore, precludes a

party from bringing a subsequent lawsuit on the same claim or from raising a new defense to defeat the prior judgment. *Gargallo v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 918 F.2d 658, 660 (6th Cir. 1990). It bars re-litigation of every issue actually brought before the court and every issue or defense that should have been raised in the previous action. *Id.*

The issues raised by Hall were already fully litigated and appealed in the state court case of *Hall v. Silver,* No. 17-CVI-1750 filed in the Akron Municipal Court. Magistrate Judge Todd already determined that Hall and Silver agreed to an hourly rate of $175.00, not a flat fee of $175.00. She determined that Hall paid Silver $6,364.00 as attorney fees for his trial and appellate work in the fee dispute in *Hill, Hardman and Oldfield v. Gilbert,* No. CV-2008-07-5101 (Summit Cnty. Ct. Comm. Pl. 2008) and not the collection of the judgment in the dog bite case, *Hall v. Gulick,* No. CV-2006-08-5389 (Summit Cnty. Ct. Comm. Pl. 2006). *Res judicata* bars Hall from re-litigating in federal court claims and issues that were previously decided by a state court. *Bragg v. Flint Bd. of Educ.*, 570 F.3d 775, 776 (6th Cir. 2009). He cannot bring those same claims to this Court in an attempt to get a different result from that which he received in the state courts.

IV. Conclusion

For all the foregoing reasons, defendants' motions to dismiss (Doc Nos. 9, 10, 17, and 26) are granted. This action is dismissed under Federal Civil Procedure Rule 12(b)(6) and *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999). In light of the dismissal of plaintiff's claims, plaintiff's motions (Doc. Nos. 15, 21, 23, 27, and 28) are denied as moot. Pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: July 13, 2022

HONORABLE SARA LIOI
UNITED STATES
DISTRICT JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JAMES WILLIAM HALL, cv-580	)	CASE NO. 5:22-
	)	
PLAINTIFF,	)	JUDGE SARA LIOI
	)	
	)	
	)	JUDGMENT ENTRY
vs.	)	
	)	
JUDGE TAMMY O'BRIEN, *et al,*	)	
	)	
DEFENDANTS,	)	

For the reasons stated in the Court's contemporaneously filed memorandum opinion, this action is dismissed. Further, the Court CERTIFIES pursuant to 28 U.S.C. § 1915(a)(3) that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: July 13, 2022

HONORABLE SARA LIOI
UNITED STATES
DISTRICT JUDGE

Appendix IV

Appendix A

ORDER OF THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

JAMES W. HALL
V.
TAMMY OBRIEN

TAMARA J. TODD
JAMES R. SILVER
DONALD GALLICK

OHIO COURT OF CLAIM AND JUDGES MARCH 21, 2023

APPENDIX B

MEMORANDUM OPINION AND ORDER
UNITED STATES DISTRICT COURT NORTHER DISTRICT
OF OHIO EASTERN DIVISION, JULY 13, 2022

V.
TABLE OF AUTHORITIES
CASES
ROBINSON V. BANTAM BOOKS, INC.

RELATED PROCEEDINGS

THIS CASE ARISE FROM THE FOLLOWING PROCEEDING IN THE UNITED STATES DISTRICT COURT OF APPEALS FOR THE SIXTH CIRCUIT LISTED HERE IN REVERSE CHRONOLOGICAL ORDER

APPENDIX IV

APPENDIX A

ORDER OF THE
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

JAMES W. HALL
V
TRUMP O BRIEN

TAMARA J. TODD
JAMES R. SILVER
DONALD GALLICK

OHIO COURT OF CLAIM AND JUDGES MARCH 21, 2023

APPENDIX B

MEMORANDUM OPINION AND ORDER
UNITED STATES DISTRICT COURT NORTHERN
DISTRICT
OF OHIO EASTERN DIVISION JULY 13, 2022

V
TABLE OF AUTHORITIES
CASES
ROBINSON V BANTAM BOOKS, INC.

iii
RELATED PROCEEDINGS
THIS CASE ARISE FROM THE FOLLOWING
PROCEEDING IN THE UNITED STATES DISTRICT
COURT OF APPEALS FOR THE SIXTH CIRCUIT LISTED
HERE IN REVERSE CHRONOLOGICAL ORDER.

Appendix 11 C-3

NOT RECOMMENDED FOR PUBLICATION

No. 22-3663

UNITED ST A TES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

JAMES WILLIAM HALL,	)	
	)	
Plaintiff-Appellant,	)	
	)	
	)	
v.	)	ON APPEAL FROM
THE UNITED		
	)	STATES DISTRICT
COURT FOR		
JUDGE TAMMY O'BRIEN	)	THE NORTHERN
DISTRICT OF		
JUDGE TAMARA J. TODD;	)	OHIO
JAMES R. SILVER; DONALD M.	)	
GALLICK; OHIO COURT OF	)	
CLAIMS AND JUDGES,	)	
	)	
Defendants-Appellees.	)	

O R D E R

Before: BOGGS, GRIFFIN, and MATHIS, Circuit Judges.

James William Hall, a prose Ohio resident, appeals the district court's judgment dismissing his 42 U.S.C. § 1983 complaint under Federal Rule of

Civil Procedure 12(6)(6). This case has been referred to a panel of the court that, upon examination, unanimously agrees that oral argument is not needed. See Fed. R. App. P. 34(a).

Hall retained attorney James R. Silver to represent him in various legal matters, including the collection of a judgment lien. In 2017, Hall, acting through attorney Donald M. Gallick, sued Silver in the Akron Municipal Court for the return of $6,364 in allegedly unearned legal fees in the collection matter. The Akron Municipal Court ultimately rendered a judgment against Hall. Undetened, Hall then sued Silver in the Summit County Court of Common Pleas in another attempt to collect the $6,364. That suit was likewise unsuccessful. LAST DAY TO FILE IS SEPTEMBER 12, 2023 SUPPORT UNITED STATES

In April 2022, Hall filed this § 1983 lawsuit against Silver and Gallick, as well as the Akron Municipal Court magistrate who presided over the first lawsuit, the court-of-common-pleas judge who presided over the second lawsuit, and the Ohio Court of Claims. Hall's complaint is difficult to decipher, but, liberally construed, it alleges that the individual defendants engaged in conduct during his state lawsuits against Silver that violated his federal rights. Hall also asserted a state-law claim for breach of contract against Silver. He sought compensatory and punitive damages.

Thereafter, defendants filed separate motions to dismiss Hall's complaint for failure to state a claim upon which relief may be granted. See Fed. R. Civ. 12(b)(6). The district court granted the motions, concluding that Hall failed to state a claim for relief under§ 1983 because (1) he did not identify a particular federal right that he believes defendants violated, (2) his former attorneys are not state actors subject to liability under§ 1983, (3) the two state judicial officers were entitled to absolute judicial immunity, and (4) the Ohio Court of Claims is incapable of being sued because it lacks an independent legal existence and, in any event, is entitled to sovereign immunity. Having dismissed

Hall's federal claims, the district court then declined to exercise supplemental jurisdiction over his state-law breach-of-contract claim.

On appeal, Hall challenges the district court's dismissal of his complaint. We review de nova a district court's order granting a Rule 12(b)(6) motion to dismiss for failure to state a claim. Solo v. United Parcel Serv. Co., 819 F.3d 788, 793 (6th Cir. 2016). A complaint survives a motion to dismiss if it "contain[s] sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (quoting Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)). In scrutinizing a complaint under Rule 12(b)(6), we must "accept all well-pleaded factual allegations of the complaint as true and construe the complaint in the light most favorable to the plaintiff." *Dubay v. Wells*, 506 F.3d 422, 426 (6th Cir. 2007) (quoting *Inge v. Rock Fin. Corp.*, 281 F.3d 613,619 (6th Cir. 2002)).

To state a claim upon which relief can be granted under§ 1983, a plaintiff must allege that (1) a right secured by the Constitution or a federal statute has been violated and (2) the violation was committed by a person acting under color of state law. *West v. Atkins,* 487 U.S. 42, 48 (1988). As a pro se litigant, Hall is entitled to a more liberal construction of his pleadings than if he were represented by counsel. See *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972) (per curiam).

As a preliminary matter, Hall argues that the district court should have allowed him discovery before dismissing his complaint. But "there is no general right to discovery upon filing of the complaint." *Yuhasz v. Brush Wellman, Inc.*, 341 F.3d 559, 566 (6th Cir. 2003). Indeed, "[t]he very purpose of Fed. R. Civ. P. 12(b)(6) 'is to enable defendants to challenge the legal sufficiency of complaints without subjecting

themselves to discovery.'" *Id.* (quoting *Rutman Wine Co. v. E. & J Gallo Winery*, 829 F.2d 729, 738 (9th Cir. 1987)). To the extent that Hall argues that the district court's dismissal of his complaint violated his constitutional right to a trial, his argument likewise lacks merit. A litigant has no right to a trial if his pleadings fail to state a triable claim. See Jones v. Potter, 488 F.3d 397, 403 (6th Cir. 2007); *Robberts v. Northville Twp.*, 22 F. App'x 527, 528 (6th Cir. 2001).

Turning to the merits, the district court properly determined that Hall failed to state a claim against Silver and Gallick because, as non-state actors, they are not subject to suit under § 1983. "[A] lawyer representing a client is not, by virtue of being an officer of the court, a state actor 'under color of state law' within the meaning of§ 1983." *Polk Cnty. v. Dodson*, 454 U.S. 312, 318 (1981); *see Otworth v. Vanderploeg*, 61 F. App'x 163, 166 (6th Cir. 2003) (noting that "private attorneys representing private citizens... [are] not acting under color of state law"). Hall made no allegations in his complaint that Silver or Gallick acted under color of state law. To the extent that Hall alleged that Silver or Gallick conspired with state officials to violate his federal rights, *see Dennis v. Sparks*, 449 U.S. 24, 27-28 (1980), his allegations are too vague and conclusory to state a conspiracy claim, *see Spadafore v. Gardner*, 330 F.3d 849, 854 (6th Cir. 2003).

The district court also properly concluded that Hall failed to state a claim against the two judicial defendants named in his complaint. "It is a well-entrenched principle in our system of jurisprndence that judges are generally absolutely immune from civil suits for money damages." *Barnes v. Winchell,* 105 F.3d 1111, 1115 (6th Cir. 1997). "Immunity from a§ 1983 suit for money damages is no exception." *Id.* (citing *Pierson v. Ray,* 386 U.S. 547, 554 (1967)). The Supreme Court has held that judicial immunity is overcome in only two circumstances: (1) "nonjudicial actions, i.e., actions not taken in the judge's judicial capacity" and (2) "actions, though judicial in nature, taken in the complete absence of all jurisdiction." *Mireles v. Waco*, 502 U.S. 9, 11-12 1991) (per curiam).

Because Hall did not allege, and the record does not otherwise show, that any of the judicial defendants acted in a non-judicial capacity or in the complete absence of all jurisdiction, they are entitled to absolute judicial immunity.

As for Hall's claims against the Ohio Court of Claims, the Ohio Supreme Court has recognized that "[a] court is... a place in which justice is judicially administered." *State ex rel. Cleveland Mun. Ct. v. Cleveland City Council*, 296 N.E. 2d 544, 546 (Ohio 1973) (quoting *Todd v. United States,* 158 U.S. 278, 284 (1895)). It "is not sui juris," so, "[a]bsent express statutory authority, a court can neither sue nor be used in its own right." *Id.* Hall failed to cite any statute allowing him to sue the Ohio Court of Claims. The district court therefore properly dismissed Hall's claims against that court. *See Cooper v. Rapp*, 702 F. App'x 328, 334-35 (6th Cir. 2017). Moreover, Hall's claims against the Ohio Court of Claims were subject to dismissal because Ohio state courts are entitled to sovereign immunity. *See Mumford v. Basinski,* 105 F.3d 264, 268-70 (6th Cir. 1997).

Finally, because the district court properly determined that Hall failed to state a federal claim, it did not abuse its discretion by declining to exercise supplemental jurisdiction over any state-law claim that Hall sought to raise. *See* 28 U.S.C. § 1367(c)(3); *Nikolao v. Lyon*, 875 F.3d 310,320 (6th Cir. 2017).

For these reasons, we **AFFIRM** the district court's judgment.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk