

# The Supreme Court of Ohio

Shane Woodgeard

Case No. 2022-1636

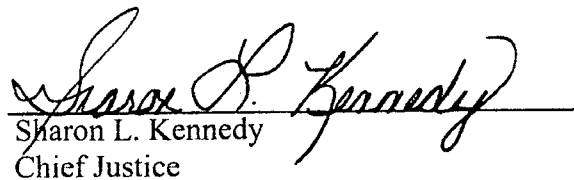
v.

E N T R Y

Timothy Heavlin Alliance Police Department &  
Jennifer Arnold

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).

(Stark County Court of Appeals; Nos. 2022CA00118, 2022CA00119)

  
Sharon L. Kennedy  
Chief Justice

# The Supreme Court of Ohio

Shane Woodgeard

Case No. 2022-1636

v.

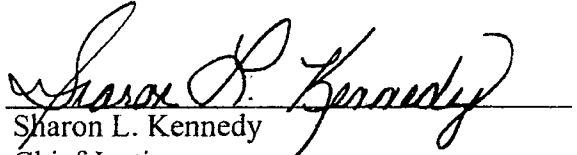
RECONSIDERATION ENTRY

Timothy Heavlin Alliance Police Department &  
Jennifer Arnold

Stark County

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

(Stark County Court of Appeals; Nos. 2022CA00118 and 2022CA00119)

  
Sharon L. Kennedy  
Chief Justice

3304517249 Fifth District 5

LYNN M. TOUHY  
CLERK OF COURT OF APPEALS  
STARK COUNTY, OHIO

2022 NOV 15 PM 4:11

IN THE COURT OF APPEALS OF OHIO  
FIFTH APPELLATE DISTRICT  
STARK COUNTY

SHANE WOODGEARD

Plaintiff-Appellant

vs

TIMOTHY HEAVLIN  
ALLIANCE POLICE DEPARTMENT &  
JENNIFER ARNOLD

Defendants-Appellees

APPEALS NO. (76)2022CA00118

JUDGMENT ENTRY

*Judge Forehand*  
*2021 CV 01367*

The Court hereby dismisses the within appeal for want of a timely Notice of Appeal. The Notice of Appeal was filed on September 23, 2022. Appellant is attempting to appeal a judgment filed on 08-22-2022. Therefore, the notice of appeal is untimely. This Court lacks jurisdiction over untimely appeals. Although Appellant filed a response to our judgment entry requesting additional information and/or caselaw in support of jurisdiction, Appellant has not provided anything which would invoke this Court's jurisdiction.

APPEAL DISMISSED.

COSTS TAXED TO APPELLANT.

IT IS SO ORDERED.

*[Signature]*  
JUDGE  
*[Signature]*  
JUDGE  
*Patricia A. Delaney*  
JUDGE

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3304517249 Fifth District 5

CLERK OF COURT OF APPEALS  
STARK COUNTY, OHIO

2022 NOV 15 PM 4:11

IN THE COURT OF APPEALS OF OHIO  
FIFTH APPELLATE DISTRICT  
STARK COUNTY

SHANE WOODGEARD

Plaintiff-Appellant

vs

TIMOTHY HEAVLIN  
ALLIANCE POLICE DEPARTMENT &  
JENNIFER ARNOLD

Defendants-Appellees

APPEALS NO. {76}2022CA00119

JUDGMENT ENTRY

*Judge Forcione*  
*2022 CV 00347*

The Court hereby dismisses the within appeal for want of a timely Notice of Appeal. The Notice of Appeal was filed on September 23, 2022. Appellant is attempting to appeal a judgment filed on 08-22-2022. Therefore, the notice of appeal is untimely. This Court lacks jurisdiction over untimely appeals. Although Appellant filed a response to our judgment entry requesting additional information and/or caselaw in support of jurisdiction, Appellant has not provided anything which would invoke this Court's jurisdiction.

APPEAL DISMISSED.

COSTS TAXED TO APPELLANT.

IT IS SO ORDERED.

*[Signature]*  
JUDGE

*[Signature]*  
JUDGE

*[Signature]*  
JUDGE

SHANE WOODGEARD

Plaintiff-Appellant

VS

TIMOTHY HEAVLIN  
ALLIANCE POLICE DEPARTMENT &  
JENNIFER ARNOLD

Defendants-Appellees

APPEALS NO. {76}2022CA00118

JUDGMENT ENTRY

This matter comes before the Court upon Appellant's Motion for Reconsideration. Appellant argues his appeal should be considered timely and should be deemed to have been filed the day he mailed the notice of appeal. Appellant does not cite to any rule or case in support of his contention.

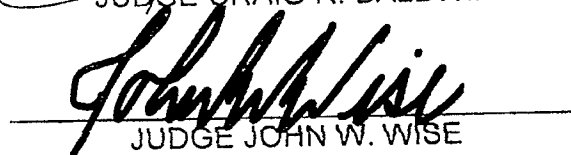
The Appellate Rules do not state that notices of appeal are deemed filed the day they are mailed. Rather, Appellate Rule 13(A) provides in relevant part, "[F]iling shall not be timely unless the documents are received by the clerk within the time fixed for filing . . ." In this case, Appellant's notice of appeal was not received by the clerk until after the expiration of the 30 day period for filing a timely notice of appeal.

A timely notice of appeal is required to invoke this Court's jurisdiction. Appellant did not file a timely notice of appeal therefore, this Court does not have jurisdiction over this appeal.

MOTION DENIED.

IT IS SO ORDERED.

  
JUDGE CRAIG R. BALDWIN

  
JUDGE JOHN W. WISE

  
JUDGE PATRICIA A. DELANEY

IN THE COURT OF APPEALS FOR STARK COUNTY, OHIO  
FIFTH APPELLATE DISTRICT

12 OCT -4 AM 11:30

LYNN A. BOARD  
CLERK OF COURT OF APPEALS  
STARK COUNTY, OHIO

SHANE WOODGEARD

Plaintiff-Appellant

vs.

TIMOTHY HEAVLIN,  
ALLIANCE POLICE DEPT. and  
JENNIFER ARNOLD

Defendants-Appellees

CASE NO. 2022CA00119

JUDGMENT ENTRY

This matter came before the Court for review of Appellant's Docketing Statement filed on September 23, 2022. Upon review, the Court notes that Appellant has failed to attach a time-stamped copy of the judgment entry being appealed, as required by Loc.App.R. 6(A).


Appellant is hereby requested to file a fully completed Docketing Statement in accordance with Loc.App.R. 6(A) on or before November 3, 2022. Failure to file a fully completed Docketing Statement may result in the dismissal of the within appeal pursuant to Loc.App.R. 5(C).

In addition, this Court has sua sponte reviewed the within appeal which appears to be untimely. The Notice of Appeal was filed on September 23, 2022. Appellant is attempting to appeal a judgment filed on August 22, 2022. As such, from the face of the Notice of Appeal, it appears the within appeal is untimely. This Court lacks jurisdiction over untimely appeals.

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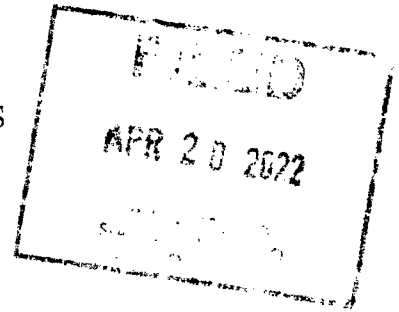
Appellant shall provide the Court with any additional information or case law in support of jurisdiction on or before November 3, 2022.

IT IS SO ORDERED.

  
JUDGE

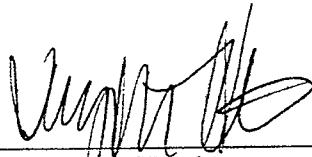
"D"

IN THE COURT OF COMMON PLEAS  
STARK COUNTY, OHIO



SHANE WOODGEARD,	)	CASE NO. 2021CV01367
PLAINTIFF(S)	)	
VS.	)	JUDGMENT ENTRY
	)	JUDGE CHRYSSA HARTNETT
ALLIANCE CITY POLICE DEPT, et al.,	)	
DEFENDANT(S)	)	

The above-captioned matter is hereby transferred from Courtroom No. 5 (Judge Hartnett) to Courtroom No. 4 (Judge Forchione ), due to a conflict of interest.

  
\_\_\_\_\_  
Judge Taryn Heath  
Administrative Judge

Copies to:  
Judge : Forchione  
Atty. R. Eric Smearman (via fx: 440.243.6598)  
Shane Woodgeard- 9130 Buckeye Rd. Sugar Gove, Ohio 43155.

"G"

IN THE ALLIANCE MUNICIPAL COURT  
STARK COUNTY, OHIO

2021 JAN 12 PM 3:00

STATE OF OHIO

CASE NO. 2019 CRB 01619

PLAINTIFF,

JUDGE ANDREW L. ZUMBAR

Vs.

SHANE WOODGEARD


**MOTION TO DISMISS**  
**AND RECALL WARRANT**

DEFENDANT.

Now comes the Plaintiff, by and through undersigned counsel and hereby moves this Honorable Court for a dismissal of the charge(s) in the above-captioned case, without prejudice, and to recall the active warrant. For cause, the State of Ohio has been advised that the Defendant was not served with the CPO in Summit County, Ohio, prior to being charged with Violation of a CPO in the present case. Specifically, Defendant was charged criminally on July 11, 2019, but was not served until October 24, 2019, pursuant to the records in the Summit County Court of Common Pleas, Domestic Relations Division.

**WHEREFORE**, Plaintiff respectfully moves this Honorable Court to dismiss the above-captioned case and recall the active warrant.

Respectfully submitted,

  
JORDAN E. KNABB #0093568  
Prosecutor Law Directors Office  
470 E. Market St  
Alliance, OH 44601  
330 823-6610 – Telephone  
330-829-0622 – Facsimile  
knabbje@allianceoh.gov  
Attorney for Plaintiff

JAN 12 11 30 00  
STARK CO.

SO ORDERED, ADJUDGED AND DECREED.

Date: 1-12-21

  
JUDGE ANDREW L. ZUMBAR

**CERTIFICATE OF SERVICE**

I do hereby certify a copy of the foregoing was mailed to the Defendant on this 12<sup>th</sup> day of January 2021 at 9130 Buckeye Rd. Sugar Grove, OH 43155

  
JORDAN E. KNABB #0093568