

No.: _____.

IN THE
SUPREME COURT OF THE UNITED STATES

Koury Scales,

Applicant,

v.

The State of Ohio,

Respondent.

Application for an Extension of Time to File a Petition for Writ of Certiorari
to the Ohio Court of Appeals Eighth Judicial District

Appendixes

To the Honorable Brett M. Kavanaugh, Associate Justice of the Supreme
Court of the United States and Circuit Justice for the Court of Appeals for the Sixth
Circuit (State of Ohio)

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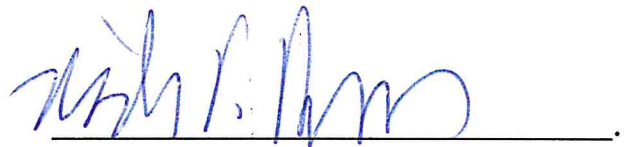
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Respectfully Submitted,



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Counsel for the Applicant

Submitted on,

October, 2nd, 2026.

The Supreme Court of Ohio

State of Ohio

v.

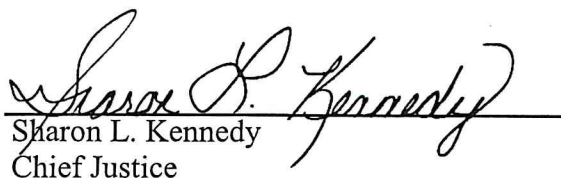
Koury Scales

Case No. 2026-0575

ENTRY

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

(Cuyahoga County Court of Appeals; No. 116179)


Sharon L. Kennedy
Chief Justice

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

July 21, 2026

[Cite as *07/21/2026 Case Announcements*, 2026-Ohio-2745.]

MERIT DECISIONS WITHOUT OPINIONS

2026-0666. McCloud v. Warden, Lorain Corr. Inst.

In Habeas Corpus. Sua sponte, cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, and Hawkins, JJ., concur.

Shanahan, J., not participating.

2026-0690. State ex rel. Carpenter v. Best.

In Prohibition. On relator's emergency motion for stay and immediate order voiding all municipal-court judgments pending writ. Motion denied. Respondent's motion to dismiss granted. Relator's request for expedited review denied as moot. Relator's emergency motion to vacate garnishment orders and enjoin plaintiff Levy & Associates, L.L.C., and emergency motion to disqualify attorney Thomas N. Spyker and Reminger Co., L.P.A., denied. Cause dismissed.

Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

Kennedy, C.J., concurs but would deny as moot relator's emergency motion for stay and immediate order and would deny on the merits relator's request for expedited review.

Fischer, J., concurs but would deny on the merits relator's request for expedited review.

DeWine, J., concurs but would deny as moot relator's emergency motion for stay and immediate order.

2026-0706. Conway v. Baker.

In Habeas Corpus. Sua sponte, cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

2026-0717. State ex rel. Grimes v. Sparks.

In Habeas Corpus. Sua sponte, cause dismissed.

Kennedy, C.J., and Fischer, DeWine, Brunner, Deters, Hawkins, and Shanahan, JJ., concur.

MOTION AND PROCEDURAL RULINGS

2025-1212. State v. Ford.

Summit C.P. No. CR-2013-04-1008-A. On appellant's motion to strike the December 31, 2025 notice of filing of the record, motion to complete the record with omitted transcripts at state expense, and motion to order Summit County Common Pleas clerk to complete the record. Motions granted. Appellant's expedited-ruling request regarding June 9, 2026 motions granted. The Summit County court reporter is ordered to prepare, at appellee's expense, the transcripts from and the exhibits associated with the hearings on the following dates: November 8, 2023, January 30, 2024, and August 6-7, 2024. The Summit County Court of Common Pleas clerk shall file a complete copy of the record, including the transcripts and exhibits from the omitted hearings, within 45 days or show cause why she should not be held in contempt for failing to do so. Sua sponte, briefing schedule stayed and will be reset after the Summit County Court of Common Pleas clerk has transmitted the record.

2026-0415. Souare v. Summit Cty. Sheriff.

Summit App. No. 31413, 2026-Ohio-1138. On appellant's motion for expedited consideration of the merits. Motion denied.

2026-0629. State v. Kelly.

Scioto App. No. 24CA4093, 2026-Ohio-71. On motion for leave to file delayed appeal. Motion denied. Appellant's motion for stay of sentence denied.

Kennedy, C.J., dissents in part and would grant the motion for leave.

2026-0631. State v. Carter.

Belmont App. No. 26BE0006. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2026-0644. State v. Duncan.

Clark App. No. 2026-CA-16. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

Fischer and Brunner, JJ., dissent.

2026-0669. State v. Harris.

Belmont App. No. 25 BE 0022, 2026-Ohio-1368. On motion for leave to file delayed appeal. Motion denied.

2026-0685. State v. Ward.

Cuyahoga App. No. 115328, 2026-Ohio-838. On motion for leave to file delayed appeal. Motion granted. Appellant shall file a memorandum in support of jurisdiction within 30 days.

2026-0793. Sampson v. Sampson.

Lake App. No. 2025-L-129, 2026-Ohio-1916. On appellant's motion to stay enforcement of child-support judgment pending appeal. Motion denied.

APPEALS ACCEPTED FOR REVIEW

2026-0495. Chervenak Family Trust v. Ascent Resources - Utica, L.L.C.

Guernsey App. No. 25CA00033, 2026-Ohio-886.

DeWine, Deters, and Shanahan, JJ., dissent.

2026-0547. State v. Coleman.

Ashtabula App. No. 2024-A-0040, 2026-Ohio-965.

Kennedy, C.J., and Brunner, J., dissent.

2026-0555. Griffith v. Chelsea Condominium.

Cuyahoga App. No. 115032, 2026-Ohio-928. Appeal accepted on proposition of law No. I. Sua sponte, cause held for the decision in 2025-1637, *Dornette v. Green Bldg. Consulting, L.L.C.*

Kennedy, C.J., and Shanahan, J., would accept the appeal on both propositions of law.

Brunner and Hawkins, JJ., dissent.

2026-0584. State v. Tucker.

Cuyahoga App. No. 115308, 2026-Ohio-1045. Sua sponte, cause held for the decision in 2026-0456 and 2026-0647, *State v. Dejournett*.

Kennedy, C.J., would not hold the cause.

DeWine and Brunner, JJ., dissent.

APPEALS NOT ACCEPTED FOR REVIEW

2026-0175. State v. Foster.

Cuyahoga App. No. 114642, 2026-Ohio-1860.

2026-0289. State v. Wilson.

Montgomery App. No. 30594, 2026-Ohio-763.

2026-0482. Tolani v. Med. Mut. of Ohio.

Cuyahoga App. No. 114356, 2025-Ohio-5624.

Kennedy, C.J., and Fischer and Shanahan, JJ., dissent.

2026-0532. State v. Zink.

Clermont App. Nos. CA2025-04-026 and CA2025-06-047, 2026-Ohio-868.

2026-0536. State v. Windsor.

Clark App. No. 2025-CA-31, 2026-Ohio-1075.

2026-0537. Kent v. Elgert.

Portage App. No. 2026-P-0010.

2026-0539. State v. Smith.

Franklin App. No. 25AP-824, 2026-Ohio-912.

2026-0545. State v. Sampson.

Cuyahoga App. No. 115478, 2026-Ohio-1381.

2026-0549. State v. Abdel-Haq.

Cuyahoga App. No. 114977, 2026-Ohio-554.

Hawkins, J., dissents.

2026-0552. Goodykoontz v. Cuyahoga Cty.

Cuyahoga App. No. 116195.

2026-0553. Laudato v. Newark Leasing, L.L.C.

Licking App. No. 25CA00046.

2026-0554. Marrs v. Mickel.

Cuyahoga App. No. 115299, 2026-Ohio-935.

2026-0556. State v. Bryant.

Cuyahoga App. No. 115096, 2026-Ohio-559.

Hawkins, J., dissents.

2026-0558. Arnoff v. Patterson.

Lake App. No. 2025-L-083, 2026-Ohio-1227.

2026-0559. State v. Henderson.

Sandusky App. Nos. S-24-017, S-24-019, and S-24-020, 2026-Ohio-1020.

2026-0560. State v. Massimiani.

Cuyahoga App. No. 114755, 2026-Ohio-1056.

2026-0561. State v. Justice.

Franklin App. No. 25AP-657.

2026-0562. State v. Giles.

Cuyahoga App. No. 115572, 2026-Ohio-1055.

2026-0565. Columbus v. Argous, L.L.C.

Franklin App. Nos. 25AP-139 through 25AP-143, 2026-Ohio-1353.

Brunner, J., would issue a show-cause order requiring appellant to address the citation of nonexistent caselaw.

Hawkins, J., not participating.

2026-0568. State v. Volpi.

Ashtabula App. No. 2025-A-0044, 2026-Ohio-599.

2026-0569. State v. Baker.

Paulding App. No. 11-25-02.

2026-0572. Zeedyk v. 5C's Drying, L.L.C.

Defiance App. No. 4-25-05, 2026-Ohio-618.

2026-0574. In re Estate of Shurman.

Stark App. Nos. 2025CA00099 through 2025CA00102, 2026-Ohio-1343.

2026-0575. State v. Scales.

Cuyahoga App. No. 116179.

2026-0576. Carrington v. Beverly.

Highland App. No. 25CA22, 2026-Ohio-1293.

2026-0577. Neal v. Stuff.

Richland App. No. 2025 CA 0103, 2026-Ohio-1246.

2026-0578. State v. Hall.

Cuyahoga App. No. 115264, 2026-Ohio-1042.

2026-0583. Williams v. Durrani.

Hamilton App. No. C-250103, C-250104, and C-250481.

Kennedy, C.J., dissents.

Fischer and Deters, JJ., not participating.

2026-0586. State v. Cecil.

Wayne App. No. 25AP0027, 2026-Ohio-1100.

2026-0588. Yarnell v. Smithville.

Wayne App. No. 25AP0016, 2026-Ohio-1140.

2026-0591. State v. Garee.

Allen App. No. 1-25-45, 2026-Ohio-1108.

2026-0595. In re R.C.

Union App. Nos. 14-25-40 and 14-25-41, 2026-Ohio-1244.

2026-0596. State v. Davis.

Butler App. No. CA2025-03-025, 2026-Ohio-1096.

2026-0614. State v. Lewis.

Delaware App. No. 25 CAA 09 0085, 2026-Ohio-1340.

2026-0616. State v. Noel.

Summit App. No. 31255, 2026-Ohio-1144.

2026-0651. Donovan v. Kirtland Country Club.

Lake App. No. 2025-L-049, 2026-Ohio-1327.

Brunner, J., dissents and would accept the appeal on proposition of law Nos. I and II.

2026-0652. State v. Dunlap.

Lorain App. No. 24CA012198, 2026-Ohio-1411.

2026-0673. State v. Stevens.

Stark App. No. 2024CA00186.

2026-0678. State v. Crangle.

Summit App. No. 31603, 2026-Ohio-428.

2026-0684. State v. Hake.

Montgomery App. No. 30643, 2026-Ohio-1393.

2026-0712. State v. Allen.

Summit App. Nos. 30385 and 31166, 2026-Ohio-1440.

RECONSIDERATION OF PRIOR DECISIONS

2026-0224. Owensby v. Underwood.

Hamilton App. No. C-250726. Reported at 2026-Ohio-1686. On motion for reconsideration. Motion denied.

2026-0228. Kane v. Kane.

Warren App. No. CA2025-03-020, 2026-Ohio-73. Reported at 2026-Ohio-1686. On motion for reconsideration. Motion denied.

DeWine and Shanahan, JJ., not participating.

2026-0230. Estate of Hodory v. Duke Realty Corp.

Hamilton App. No. C-240545, 2025-Ohio-5068. Reported at 2026-Ohio-1686. On motion for reconsideration. Motion denied.

Fischer and Deters, JJ., not participating.

2026-0280. Foster v. Shaughnessy.

In Procedendo. Reported at 2026-Ohio-2031. On motion for reconsideration. Motion denied.

2026-0292. State ex rel. Hill v. Black.

In Habeas Corpus. Reported at 2026-Ohio-1686. On motion for reconsideration. Motion denied.

Brunner, J., dissents.

2026-0300. State v. Pitts.

Lucas App. Nos. L-25-00069 and L-25-00070, 2026-Ohio-292. Reported at 2026-Ohio-1686. On motion for reconsideration. Motion denied. Appellant's motion to second the memorandum of jurisdiction filed pro se denied.

FORM 4 AFFIDAVIT ACCOMPANYING MOTION FOR PERMISSION TO APPEAL IN FORMA PAUPERIS

United States District Court for the District of 8th District
Koury Scales CHDO Case No. 2026-
CHDO Curry County

Affidavit in Support of Motion
I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S. — § 1621.)

Signed: Koury Scales**Instructions**

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 9/11/2026

My issues on appeal are: Denial of right to counsel under 6th Amendment

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

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Self-employment	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Income from real property (such as rental income)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Interest and dividends	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Gifts	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Alimony	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Child support	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Disability (such as social security, insurance payments)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Unemployment payments	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Public-assistance (such as welfare)	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Other (specify): <u>Jail Pay</u>	\$ <u>17.00</u>	\$ <u>—</u>	\$ <u>17.00</u>	\$ <u>—</u>
Total monthly income:	\$ <u>17.00</u>	\$ <u>—</u>	\$ <u>17.00</u>	\$ <u>—</u>

MISC-14

FED. R. APP. P. WITH 5TH CIR. R. & IOPs

2. List your employment history, for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
A-57957	Unkndn	Nov-Mar 2025	300.00
_____	_____	_____	_____
_____	_____	_____	_____

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

Employer	Address	Dates of Employment	Gross monthly pay
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. How much cash do you and your spouse have? \$ _____
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

If you are a prisoner, seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

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

Home (Value)	Other real estate (Value)	Motor vehicle #1 (Value)
_____	_____	Make & year: _____
_____	_____	Model: _____
_____	_____	Registration # _____

MISC-14

FED. R. APP. P. WITH 5TH CIR. R. & IOPs

Motor vehicle #2 (Value)	Other assets (Value)	Other assets (Value)
Make & year: _____	_____	_____
Model: _____	_____	_____
Registration #: _____	_____	_____

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

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. State the persons who rely on you or your spouse for support.

Name (or, if under 18, initials only)	Relationship	Age
<u>AS</u>	<u>child</u>	<u>15</u>
<u>KS</u>	<u>child</u>	<u>5</u>
<u>KS</u>	<u>child</u>	<u>2</u>

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

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ _____	\$ _____
Are real-estate taxes included? ☐ Yes ☐ No		
Is property insurance included? ☐ Yes ☐ No		
Utilities (electricity, heating fuel, water, sewer, and Telephone)	\$ _____	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ _____	\$ _____
Clothing	\$ _____	\$ _____
Laundry and dry-cleaning	\$ _____	\$ _____
Medical and dental expenses	\$ _____	\$ _____
Transportation (not including motor vehicle payments)	\$ _____	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ _____	\$ _____

MISC-14

FED. R. APP. P. WITH 5TH CIR. R. & IOPs

Insurance (not deducted from wages or included in Mortgage payments)	\$ <u> </u>	\$ <u> </u>
Homeowner's or renter's	\$ <u> </u>	\$ <u> </u>
Life	\$ <u> </u>	\$ <u> </u>
Health	\$ <u> </u>	\$ <u> </u>
Motor Vehicle	\$ <u> </u>	\$ <u> </u>
Other: <u> </u>	\$ <u> </u>	\$ <u> </u>
Taxes (not deducted from wages or included in Mortgage payments) (specify): <u> </u>	\$ <u> </u>	\$ <u> </u>
Installment payments	\$ <u> </u>	\$ <u> </u>
Motor Vehicle	\$ <u> </u>	\$ <u> </u>
Credit card (name): <u> </u>	\$ <u> </u>	\$ <u> </u>
Department store (name): <u> </u>	\$ <u> </u>	\$ <u> </u>
Other: <u> </u>	\$ <u> </u>	\$ <u> </u>
Alimony, maintenance, and support paid to others	\$ <u> </u>	\$ <u> </u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u> </u>	\$ <u> </u>
Other (specify): <u> </u>	\$ <u> </u>	\$ <u> </u>
Total monthly expenses:	\$ <u> </u>	\$ <u> </u>

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

☐ Yes ☒ No

If yes, describe on an attached sheet.

10. Have you spent -or will you be spending- any money for expenses or attorney fees in connection with this lawsuit? ☒ Yes ☐ No

If yes, how much? \$ 86350.00

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

MISC-14

12. State the [city and state] of your legal residence.

Trumbull county, Ohio

Your daytime phone number: ()

Your age: 33 Your years of schooling: GED

MISC-14



Michael Patrick Dunham
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC



FORM 20. CIVIL FEE WAIVER AFFIDAVIT AND ORDER

IN The Ohio Supreme Court
on Appeal from the 8th District

STATE Plaintiff,
 vs.
 Kory Scales Defendant.

CASE NO. 2026—
 JUDGE En banc

**FINANCIAL DISCLOSURE / FEE-
 WAIVER AFFIDAVIT
 AND ORDER**

Pursuant to R.C. 2323.311, the below-named Applicant requests that the Court determine that the Applicant is an indigent litigant and be granted a waiver of the prepayment of costs or fees in the above captioned matter. The Applicant submits the following information in support of said request.

Personal Information			
Applicant's First Name <u>Kory</u>		Applicant's Last Name <u>Scales</u>	
Applicant's Date of Birth <u>4/14/93</u>		Last 4 Digits of Applicant's SSN <u>5098</u>	
Applicant's Address			
Other Persons Living in Your Household			
First Name	Last Name	Is this person a child under 18?	Relationship (Spouse or Child)
<u>A.</u>	<u>S.</u>	☒ Yes ☐ No	<u>child</u>
<u>K.</u>	<u>S.</u>	☒ Yes ☐ No	<u>child</u>
<u>K. S.</u>	<u>S.</u>	☒ Yes ☐ No	<u>child</u>
Public Benefits			
I receive the following public benefits and my gross income, including the cash benefits marked below, does not exceed 187.5% of the federal poverty guidelines.			
Place an "X" next to any benefits you receive.			
Ohio Works First ¹ : ___ SSI ² : ___ Medicaid ³ : ___ Veterans Pension Benefit ⁴ : ___ SNAP / Food Stamps ⁵ : ___			
Monthly Income			
I am NOT able to access my spouse's income ☒			
	Applicant	Spouse (If Living in Household)	Total Monthly Income

Gross Monthly Employment Income, including Self-Employment Income (Before Taxes)	\$ 17.00	\$ 0	\$ 17.00
Unemployment, Worker's Compensation, Spousal Support (If Receiving)	\$ —	\$ —	\$ —
TOTAL MONTHLY INCOME			\$ 17.00
Liquid Assets			
Type of Asset	Estimated Value		
Cash on Hand	\$ —		
Available Cash in Checking, Savings, Money Market Accounts	\$ —		
Stocks, Bonds, CDs	\$ —		
Other Liquid Assets	\$ —		
Total Liquid Assets	\$ —		
Monthly Expenses			
Column A		Column B	
Type of Expense	Amount	Type of Expense	Amount
Rent / Mortgage / Property Tax / Insurance	\$ —	Insurance (Medical, Dental, Auto, etc.)	\$ —
Food / Paper Products/Cleaning Products/Toiletries	\$ —	Child or Spousal Support that You Pay	\$ —
Utilities (Heat, Gas, Electric, Water / Sewer, Trash)	\$ —	Medical / Dental Expenses or Associated Costs of Caring for a Sick or Disabled Family Member	\$ —
Transportation / Gas	\$ —	Credit Card, Other Loans	\$ —
Phone	\$ —	Taxes Withheld or Owed	\$ —
Child Care	\$ —	Other (e.g. garnishments)	\$ —
Total Column A Expenses	\$ —	Total Column B Expenses	\$ —
TOTAL MONTHLY EXPENSES (Column A + Column B)			

I, Kelly Seals, hereby certify that the information I have provided on
(Print Name)
this financial disclosure form is true to the best of my knowledge and that I am unable to prepay the costs or fees in this case.

X Kelly Seals
Signature

NOTARY PUBLIC:

Sworn to before me and signed in my presence this 11th day of September, 2026,
in Franklin County, Ohio.



Michael Patrick Dunham
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC

Michael P. Dunham

Notary Public (Signature)

Michael P. Dunham

Notary Public (Printed)

My Commission expires: Never

If available, an individual duly authorized to administer this oath at the Clerk of Court's Office will do so at no cost to the Applicant.

ORDER

- ☐ Upon the request of the Applicant and the Court's review, the Court finds that the Applicant IS an indigent litigant and **GRANTS** a waiver of the prepayment of costs or fees in this matter. Pursuant to R.C. 2323.311(B)(3), upon the filing of a civil action or proceeding and the affidavit of indigency under division (B)(1) of this section, the clerk of the court shall accept the action, motion, or proceeding for filing.
- ☐ Upon the request of the Applicant and the Court's review, the Court finds that the Applicant is NOT an indigent litigant and **DENIES** a waiver of the prepayment of costs or fees in this matter. Applicant is granted thirty (30) days from the issuance of this Order to make the required advance deposit or security. Failure to do so within the time allotted may result in dismissal of the applicant's filing.

IT IS SO ORDERED

Judge / Magistrate

Date

[Effective: April 15, 2020; amended effective April 15, 2022; July 1, 2023.]

FINANCIAL DISCLOSURE FORM

(\$25.00 application fee may be assessed—see notice on reverse side)

I. PERSONAL INFORMATION

Applicant's Legal Name <u>Kary Scales</u>		Applicant's Preferred Name and Pronoun <u>Kary Scales</u>		Date of Birth <u>4/14/1983</u>
Mailing Address <u>Prison</u>		City <u>—</u>	Email Address <u>—</u>	
State <u>OH</u>	Zip Code <u>—</u>	Case No. <u>2026-</u>	Phone <u>—</u>	Cell Phone <u>—</u>
SSN Last 4 <u>8998</u>	Gender <u>M</u>	Race ☐ American Indian or Alaskan Native ☐ Asian ☒ Black or African American ☐ Native Hawaiian or Pacific Islander ☐ Spanish or Latino ☐ White ☐ Other		

II. OTHER PERSONS LIVING IN HOUSEHOLD

Name 1) <u>A.S.</u>	DOB <u>—</u>	Relationship <u>child</u>	Name 3) <u>K.S.</u>	DOB <u>—</u>	Relationship <u>child</u>
2) <u>K.S.</u>	<u>—</u>	<u>child</u>	4) <u>—</u>	<u>—</u>	<u>—</u>

III. PRESUMPTIVE ELIGIBILITY

The appointment of counsel is presumed if the person represented meets any of the qualifications below. Please place a check mark if:

Ohio Works First/TANF: — SSI: — SSD: — Medicaid: — Poverty Related Veteran's Benefits: — Food Stamps: —

Refugee Settlement Benefits: — Incarcerated in State Penitentiary: ✓ Committed to a Public Mental Health Facility: —

Other (please describe): — Juvenile: — (If juvenile, please continue at Section VIII)

IV. INCOME AND EMPLOYER

	Applicant	Spouse (Do not include spouse's income if spouse is alleged victim)	Total Income
Gross Monthly Employment Income	\$ <u>17.00</u>	\$ <u>—</u>	\$ <u>17.00</u>
Unemployment, Worker's Compensation, Child Support, Other Types of Income	\$ <u>—</u>	\$ <u>—</u>	\$ <u>—</u>
Employer's Name: <u>Prison</u>	Phone Number: <u>—</u>	TOTAL INCOME \$ <u>17.00</u>	
Employer's Address: <u>—</u>			

V. LIQUID ASSETS

Type of Asset	Estimated Value
Checking, Savings, Money Market Accounts	\$ <u>—</u>
Stocks, Bonds, CDs	\$ <u>—</u>
Other Liquid Assets or Cash on Hand	\$ <u>—</u>
TOTAL LIQUID ASSETS	\$ <u>—</u>

VI. MONTHLY EXPENSES

Type of Expense	Amount	Type of Expense	Amount
Child Support Paid Out	\$ <u>—</u>	Telephone	\$ <u>—</u>
Child Care (if working only)	\$ <u>—</u>	Transportation/Fuel	\$ <u>—</u>
Insurance (medical, dental, auto, etc.)	\$ <u>—</u>	Taxes Withheld/Owed	\$ <u>—</u>
Mental/Dental Expenses or Associated Costs of caring for Infirm Family Member	\$ <u>—</u>	Credit Card/Other Loans	\$ <u>—</u>
Rent/Mortgage	\$ <u>—</u>	Utilities (gas, electric, water, sewer, trash)	\$ <u>—</u>
Food	\$ <u>—</u>	Other (specify)	\$ <u>—</u>
EXPENSES	\$ <u>—</u>	EXPENSES	\$ <u>—</u>

VII. DETERMINATION OF INDIGENCY

If applicant's Total Income in Section IV is at or below 187.5% of the Federal Poverty Guidelines, counsel must be appointed. For applicants whose Total Income in Section IV is above 125% of the Federal Poverty Guidelines, see recoupment notice in Section XI. If applicant's Liquid Assets in Section V exceed figures provided in OAC 120-1-03, appointment of counsel may be denied if applicant can employ counsel using those liquid assets. If applicant's Total Income falls above 187.5% of Federal Poverty Guidelines, but applicant is financially unable to employ counsel after paying monthly expenses in Section VI, counsel must be appointed.

VIII. \$25.00 APPLICATION FEE NOTICE

By submitting this Financial Disclosure Form, you will be assessed a non-refundable \$25.00 application fee unless waived or reduced by the court. If assessed, the fee is to be paid to the clerk of courts within 7 days of submitting this form to the entity that will make a determination regarding your indigency. No applicant may be denied counsel based upon failure or inability to pay this fee.

IX. APPLICANT CERTIFICATION

I, Kathy Scales (applicant or alleged delinquent child) state:

1. I am financially unable to retain private counsel without substantial hardship to me or my family.
2. I understand that I must inform the public defender or appointed attorney if my financial situation should change before the disposition of the case(s) for which representation is being provided.
3. I understand that if it is determined by the county or the court that legal representation should not have been provided, I may be required to reimburse the county for the costs of representation provided. Any action filed by the county to collect legal fees hereunder must be brought within two years from the last date legal representation was provided.
4. I understand that I am subject to criminal charges for providing false financial information in connection with this application for legal representation, pursuant to Ohio Revised Code sections 120.05 and 2921.13.
5. I hereby certify that the information I have provided on this financial disclosure form is true to the best of my knowledge.

William H. M...
Name and title of authorized persons completing form on behalf of applicant. ~~Information obtained via phone or video~~

[Signature]
Signature of applicant

9/11/2026
Date

X. JUDGE CERTIFICATION

I hereby certify that the above-noted applicant is unable to fill out and/or sign this financial disclosure for the following reason:

_____. I have determined that the party represented meets the criteria for receiving court-appointed counsel.

Judge's signature

Date

XI. NOTICE OF RECOUPMENT

ORC. §120.03 allows for county recoupment programs. Any such program may not jeopardize the quality of defense provided or act to deny representation to qualified applicants. No payments, compensation, or in-kind services shall be required from an applicant or client whose income falls below 125% of the federal poverty guidelines. See OAC 120-1-05.

Through recoupment, an applicant or client may be required to pay for part of the cost of services rendered, if he or she can reasonably be expected to pay. See ORC §2941.51(D).

XII. JUVENILE'S PARENTS' INCOME* – FOR RECOUPMENT PURPOSES ONLY – NOT FOR APPOINTMENT OF COUNSEL

	Custodial Parents' Income (Do not include parents' income if parent or relative is alleged victim)	Total
Employment Income (gross)	\$	\$
Unemployment, Worker's Compensation, Child Support, Other Types of Income	\$	\$
	TOTAL INCOME	\$

*Please complete Section VI on page 1 of this form if you would like the court to consider your financial expenses when determining the amount of recoupment which you can reasonably be expected to pay.



Michael Patrick Dunham
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration Date
Sec 147.03 RC