

# Court of Appeals of Ohio

## *Eleventh Appellate District*

Diane V. Grendell  
Judge

Timothy P. Cannon  
Judge

Colleen Mary O'Toole  
Judge

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Ashtabula Geauga Lake Portage Trumbull

Cynthia Westcott Rice  
Judge

Thomas R. Wright  
Presiding/Administrative Judge

Shibani Sheth-Massacci  
Court Administrator/Magistrate/  
Administrative Counsel

**April 9, 2018**

### ***R E L E A S E***

#### **ASHTABULA**

2017-A-0056

STATE OF OHIO, Plaintiff-Appellee v. JENNIFER M. OWENS,  
Defendant-Appellant.

Judgment affirmed. Wright, P.J., concurs in judgment only. See Opinion and Judgment Entry. [GRENDSELL] (WRIGHT) (CANNON)

CRIMINAL - Aggravated Possession of Drugs; Illegal Assembly or Possession of Chemicals for the Manufacture of Drugs; Possessing Criminal Tools; manifest weight of the evidence; sufficiency of the evidence; constructive possession; conscious of the presence of an object; circumstantial evidence; credibility; criminal purpose; complicity.

2018-A-0001,  
2018-A-0002 &  
2018-A-0003

IN THE MATTER OF: T.P., M.S., AND C.W., DEPENDENT  
CHILDREN.

Judgment affirmed. See Opinion and Judgment Entry. [CANNON] (GRENDSELL) (RICE)

JUVENILE - termination of parental rights; permanent custody; dependent children; best interests of the children; clear and convincing evidence; R.C. 2151.414(D); motion for legal custody by a relative or other interested person; abandoned.

#### **GEAUGA**

2017-G-0110

DALE PURUCZKY, et al., Plaintiffs-Appellees v. EDMUND CORSI,  
Defendant-Appellant.

Judgment reversed, vacated and remanded. See Opinion and Judgment Entry. [GRENDSELL] (WRIGHT) (RICE)

CIVIL - preliminary injunction; due process; de novo; hearing; notice; Civ.R. 65; constructive notice; unreasonable notice; First Amendment; free speech; prior restraint; abuse of discretion.

2017-G-0128      DAVID L. FILBY, Plaintiff-Appellant v. HEFFTER & RUSSELL, L.L.C., et al., Defendants-Appellees.

Judgment affirmed. See Opinion and Judgment Entry. [CANNON] (WRIGHT) (RICE)  
CIVIL - vexatious litigator; R.C. 2323.52; leave to proceed; summary judgment; Civ.R. 61; legal malpractice; expert testimony to establish standard of care; "defendant attorney's affidavit may provide a sufficient basis upon which to grant a motion for summary judgment where a plaintiff has failed to present an opposing affidavit of a qualified expert witness to establish the standard of care to support the plaintiff's legal malpractice action."

**LAKE**

2017-L-059      STATE OF OHIO, Plaintiff-Appellee v. JOSEPH A. PAOLUCCI, Defendant-Appellant.

Judgment affirmed. Wright, P.J., concurs in judgment only. See Opinion and Judgment Entry. [GRENDALL] (WRIGHT) (RICE)  
CRIMINAL - OVI; marked lanes violation; motion to suppress; extra-jurisdictional stop; R.C.2935.03(D); pursuit; unreasonable delay; chargeable offense; R.C. 4510.036.

2017-L-095 & 2017-L-096      STATE OF OHIO, Plaintiff-Appellee v. DAVID A. WOLF, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [GRENDALL] (WRIGHT) (CANNON)  
CRIMINAL - sentencing; Crim.R. 32(C); final order; res judicata; minimum aggregate prison term; R.C. 2929.41(E)(2); sex offender status; judicial bias; arguable merit.

**PORTAGE**

2017-P-0050 & 2017-P-0051      ROBERT CADY, Plaintiff-Appellee v. SHARYLL PRIMUS, Defendant-Appellant.

Appeals dismissed. See Judgment Entry. [WRIGHT] (GRENDALL) (RICE)

2017-P-0052      ROBERT CADY, Plaintiff-Appellee v. PAUL CUNNINGHAM, Defendant-Appellant.

Appeal dismissed. See Judgment Entry. [WRIGHT] (GRENDALL) (RICE)