

IN THE COURT OF COMMON PLEAS  
BELMONT COUNTY, OHIO  
GENERAL TRIAL DIVISION

COMMON PLEAS COURT  
BELMONT CO. OH

2023 APR 20 AM 10:45

CYNTHIA L. FREGIATO  
CLERK OF COURT

KEVIN FLANAGAN, PROSECUTOR  
BELMONT COUNTY PROSECUTOR'S  
OFFICE,

PLAINTIFF

CASE NO. 22 CV 336

VS

GREG P. GIVENS,

DEFENDANT

JUDGE:  
EDWARD EMMETT O'FARRELL  
RETIRED/ASSIGNED BY THE  
OHIO SUPREME COURT

JUDGMENT ENTRY - DEFENDANT DECLARED TO BE  
**VEXATIOUS LITIGATOR** UNDER R.C. 2323.52(D)(1) -  
FINAL ORDERS ISSUED UNDER R.C. 2323.52(D)(2)

This matter was further considered by Edward Emmett O'Farrell, Retired Judge of the Court of Common Pleas, Tuscarawas County, Ohio, General Trial Division, presiding in the Belmont County, Ohio Court of Common Pleas, General Trial Division, by assignment of the Ohio Supreme Court, on 04/20/2023, on a non-oral basis, relative to the following:

- \* Complaint filed by Plaintiff on 11/29/2022 under R.C. 2323.52 to Designate Greg P. Givens a **Vexatious Litigator**
- \* 04/17/2023 Judgment Entry Granting Plaintiff's 03/02/2023 Motion for Summary Judgment and granting Plaintiff leave to submit a Proposed Final Judgment Entry providing proposed Final Sanctions and Restrictions under R.C. 2323.52(D)(1)
- \* 04/19/2023 Proposed Judgment Entry filed by Plaintiff

The Court

FINDS that the Findings and Orders set forth in the Court's 04/17/2023 Judgment Entry granting Plaintiff's 03/02/2023 Motion for Summary Judgment should be incorporated in this Judgment Entry by reference as if fully restated.

FINDS that from a thorough review and consideration of the evidence under Civ. R. 56 in this case, the Court has concluded that there is no genuine issue of material fact remaining to be litigated relative to the claims of Plaintiff, under R.C. 2323.52, against Greg P. Givens, and that Plaintiff is entitled to Judgment, as a matter of law, that Greg P. Givens be declared a **Vexatious Litigator** under R.C. 2323.52 and subject to all sanctions and restrictions provided by law.

FINDS that the Affidavits and certified copies of pleadings presented to the Court by Plaintiff in this case clearly and dispositively establish that Defendant, Greg P. Givens, habitually, persistently, and **without reasonable grounds** instituted approximately fifty (50) civil actions in the Court of Common Pleas, the Court of Appeals, and in County Courts against multiple parties.

FINDS that these civil actions were **not** warranted under existing law, and could not be supported by a good faith argument for an extension, modification, or reversal of existing law; served merely to harass or maliciously injure the other parties to the civil actions and/or appeals; and were filed and/or pursued solely for delay.

FINDS that the filing and prosecution of the numerous, meritless civil actions against multiple defendants, along with the meritless appeals related to these filings, constitutes **vexatious conduct** under R.C. 2323.52 (A)(2)(a)(b)(c).

FINDS that Greg P. Givens is a **Vexatious Litigator** under R.C. 2323.52 (A)(3).

FINDS that the Clerk of Courts should transmit a **Certified Copy** of this Judgment Entry to the **Ohio Supreme Court** as required under R.C. 2323.52 (H).

FINDS that there is no just reason for delay under Civ. R. 54(B).

FINDS that the Clerk of Courts should close this case file and remove it from the pending case docket. All accumulated court costs should be assessed against the Defendant for payment.

It is therefore

ORDERED, under R.C. 2323.52 (D), that:

- \* Greg P. Givens is prohibited from instituting legal proceedings in the Court of Claims, or in any Court of Common Pleas, Municipal Court, or County Court in the State of Ohio unless Greg P. Givens first obtains leave from that court to proceed.
- \* Greg P. Givens is prohibited from continuing any legal proceedings that he has instituted in the Court of Claims, in a Court of Common Pleas, Municipal Court, or a County Court in the State of Ohio unless Greg P. Givens first obtains leave from that court to proceed.
- \* Greg P. Givens is prohibited from making any application, other than an application for leave to proceed under Division (F)(1) of R.C. 2323.52, in any legal proceedings instituted by Greg P. Givens, or another person, in the Court of Claims, a Court of Common Pleas, a Municipal Court, or a County Court in the State of Ohio.
- \* Greg P. Givens shall not institute legal proceedings in a Court of Appeals, nor shall he continue any legal proceedings he has instituted in a Court of Appeals prior to April 17, 2023, nor make any application, other than an application for leave to proceed allowed by Division (F)(2) of R.C. 2323.52.

ORDERED that this **Order** shall remain in full force and effect **INDEFINITELY**.

ORDERED that the Clerk of the Belmont County, Ohio Court of Common Pleas **shall transmit a Certified Copy of this Judgment Entry/Final Orders to the Ohio Supreme Court** for publication in the manner that the Ohio Supreme Court determines is appropriate, and that will facilitate the Clerk of the Court of Claims, the Clerk of the Court of Appeals, the Clerk of the Court of Common Pleas, the Clerk of the Municipal Court, and the Clerk of a County Court in refusing to accept pleadings and papers submitted for filing by persons who have been found to be **Vexatious Litigators** under this section and who have failed to obtain leave to proceed.

ORDERED that this Order does not affect Greg P. Givens's right to appeal this Court's determination that he is a **Vexatious Litigator** under R.C. 2323.52 (D)(1), and that there is no just reason for delay under Civ. R. 54(B).

ORDERED that the Clerk of Courts shall close this case file and remove it from the pending case docket. All accumulated Court Costs are assessed against the Defendant for payment.

It is so **ORDERED**.



EDWARD EMMETT O'FARRELL  
RETIRED/ASSIGNED JUDGE  
DATE: 04/20/2023

COPIES TO:  
Ohio Supreme Court (**CERTIFIED**)  
Asst. Pros. Atty. David K. Liberati  
Attys. Richard A. Williams and Susan S.R. Petro  
Defendant Greg P. Givens  
Court Administrator Laura A. Zupko, CCM  
Judge O'Farrell

State of Ohio  
Belmont County  
Cynthia L. Fregiato, Clerk of Courts, do  
hereby certify that the above is a true  
and correct copy of the original on file  
in this office.

Cynthia L. Fregiato, Clerk of Courts  
By Theresa Edmondson Deputy