

JUVENILE DIVISION
COMMON PLEAS COURT
FILED

JUN 01 2021

DENISE HERMAN McCOLLEY
EX-OFFICIO CLERK
HENRY COUNTY, OHIO

**COURT OF COMMON PLEAS IN HENRY COUNTY, OHIO
JUVENILE DIVISION**

Lisa R. Haldy,

Plaintiff,

v.

Todd J. Hoeffel,

Defendant.

Case No. 20134043

JUDGMENT ENTRY

Deborah C. Rohrs (0085001)
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Attorney for Plaintiff

This matter came on for hearing on all pending Motions on May 21, 2021. Present in court was the Plaintiff, Lisa R. Haldy, with her counsel Deborah C. Rohrs. The Defendant, Todd J. Hoeffel, was not present. Parties received notice of the hearing date in the Entry filed March 26, 2021, and it was confirmed in the Judgment Entry filed on April 26, 2021.

The Court heard testimony regarding the issues which were pending: child support calculation, whether the Defendant's CCNO sentence would be reimposed, or an additional sentence added, and whether Defendant should be deemed a vexatious litigant. A July 19, 2020 Judgment Entry had Ordered that Defendant serve time at CCNO and pay attorney's fees for Plaintiff. Plaintiff had also filed a Motion stating that Defendant's original Motion was frivolous

and meant to harass and delay. She therefore requested additional attorney's fees be paid by Defendant.

Upon the testimony presented and a review of the pleadings and other orders in this case, the Court makes the following findings:

1. On March 16, 2020, the latest appellate case in this matter was finished as the Court of Appeals decision was filed which affirmed the trial court's decision in its entirety.
2. Defendant filed a Motion on May 13, 2020, to be named the residential parent and legal custodian of the minor child. This subject was addressed in the decision which had just been entirely affirmed by the Court of Appeals.
3. The Court's Judgment Entry filed July 12, 2019, and the entry filed July 2, 2020, required both parties to provide updated income information so the Defendant's child support and arrearages owed from June 1, 2019, could be computed. Plaintiff provided her updated income information and attempted to resolve the child support issue. Defendant refused to reach a resolution.
4. On September 1, 2020, after attempts of informal discovery and resolution, Plaintiff filed her First Set of Interrogatories and Request for Production of Documents. On November 5, 2020, Plaintiff filed her Motion to Compel Discovery as Defendant had not responded to the First Set of Interrogatories and Request for Production of Documents.
5. On March 26, 2021, the Court conducted a pretrial with attorneys via Zoom and it was indicated to the Court that the discovery requests had still not been completed. The Court issued an Order the same date which provided that

Defendant had until April 23, 2021, to comply with the discovery requests or his May 13, 2020 Motion would be dismissed.

6. Plaintiff filed a Motion on April 26, 2021 indicating that Defendant had yet to comply with discovery. The same date the Court filed a Judgment Entry dismissing Defendant's Motion filed May 13, 2020, at his cost.
7. Defendant has been represented throughout this matter by Attorney Ian Weber. Attorney Weber filed a Motion to Withdraw on April 26, 2021. He was granted the right to withdraw. Defendant has been self-represented since April 26, 2021.
8. While Defendant was represented, he filed many documents on his own. These documents were often voluminous. Before his attorney withdrew, Defendant filed documents on June 13, 2020, June 18, 2020. He filed through his attorney for a psychological evaluation to be conducted on June 19, 2020. That Motion was dismissed when Defendant failed to pay the costs of the evaluation as Ordered.
9. On July 20, 2020, Plaintiff filed a Motion requesting that Defendant be determined to be a vexatious litigator. On July 30, 2020, Defendant filed two documents which were fairly lengthy. More documents were filed on September 25, 2020, by the Defendant on his own. Defendant filed another document on March 19, 2021.
10. While self-represented, Defendant filed more documents with the Court. Two separate documents on May 19, 2021 and one on May 21, 2021. He attempted

to file more documents which were captioned for the criminal case, and not the Family Court case.

JUDGMENT

Now, therefore, upon review of testimony and the Court's file, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

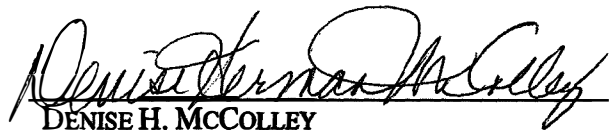
- A. The Court cannot calculate child support based solely on Plaintiff's income. Therefore, and because Defendant has not provided any information contrary to the previous Order, the child support shall remain the same as Ordered in the Judgment Entry filed on July 12, 2019, after a full hearing and exchange of documents.
- B. Defendant, Todd J. Hoeffel, is deemed a vexatious litigator. Based on the documents filed in this recent matter as well as those in his criminal cases and those filed prior to the most recent appellate case, he has shown a continuing course of conduct. His conduct is obviously vexation conduct as it serves merely to harass or maliciously injure another party to the civil action, the conduct is not warranted under existing law and cannot be supported by a good faith argument for an extension, modification, or reversal of existing law, and the conduct has been imposed solely for delay. This matter could have been concluded in the fall of 2020 but for Defendant's lack of compliance. Defendant has habitually, persistently, and without reasonable grounds engaged in vexatious conduct in this civil action.
 - a) Defendant is prohibited from instituting legal proceedings in this Court or making any application to this Court other than an application for leave to proceed. The Court must

grant leave, if appropriate, for Defendant to be able to proceed with any other filing. This shall be continued until the minor child is 18 years old and graduated, or until further order of the Court. The Defendant must be able to satisfy that any proceedings are not an abuse of process and there are reasonable grounds to file in order for the Court to grant leave for the Defendant to proceed. Defendant shall be required to follow the procedures specified in Ohio Revised Code Section 2323.52.

C. The Court is Ordering that the Defendant be responsible for the fees incurred by Plaintiff from June 29, 2020 through the date of hearing as testified to and provided on Plaintiff's Exhibit 1. This amount is \$5,527.00. This shall be paid as well as the previously Ordered attorney's fees which Defendant has neglected to pay. The CCNO sentence will not be reimposed based upon the Plaintiff's request but it shall remain suspended. The CCNO sentence can be reimposed at a later date if Defendant fails to pay attorney's fees as Ordered.

D. Costs of this matter taxed to the Defendant which will first come from his deposit. If there is any excess, the costs shall be taxed to Defendant.


IT IS SO ORDERED.


DENISE H. MCCOLLEY
Judge

APPROVED BY:


DEBORAH C. ROHRS
Attorney for Plaintiff

cc: Todd J. Hoeffel, Defendant

I CERTIFY THIS TO BE A TRUE
COPY OF THE ORIGINAL WRIT
WITH THE ENDOSEMENTS THEREON.

DEPUTY CLERK

1/2/2021 - D. Rohrs, j T. Hoeffel

NOTICE OF FINAL APPEALABLE ORDER

Pursuant to Civil Rule 58, you are hereby given notice of the filing of an appealable judgment entry and/or order in the above captioned action.

The date of the filing of the entry being the 2nd day of June, 2021.

cc: *Deborah Rohrs*
Lisa Haldy
Todd Hoeffel

DENISE HERMAN MCCOLLEY, JUDGE
COURT OF COMMON PLEAS, JUVENILE DIVISION


Deputy Clerk