

ORIGINAL
IN THE OHIO COURT OF CLAIMS

FILED
COURT OF CLAIMS
OF OHIO

2014 NOV 21 PM 3: 04

TERRY SWALLEY

Plaintiff

v.

THE STATE OF OHIO

Defendant

Case No. 2014-00854-WI

Judge Patrick M. McGrath

ANSWER

For its answer to the allegations of the Complaint, filed October 27, 2017, Defendant the State of Ohio states as follows:

1. Paragraph 1 states legal conclusions rather than factual allegations and thus requires no response. However, if this Court determines that a response is required, paragraph 1 is denied for lack of knowledge.

2. Paragraph 2 is denied for lack of knowledge.

3. Paragraph 3 is denied for lack of knowledge.

4. Paragraph 4 is admitted insofar as it alleges that that Plaintiff has attached to the Complaint copies of what appears to be judgment entries from the Ashtabula County Court of Common Pleas. Further answering paragraph 4, the judgment entries in question speak for themselves and Defendant denies any inconsistent allegations. Any remaining allegations of Paragraph 4 are denied for lack of knowledge.

5. Paragraph 5 is denied for lack of knowledge.

6. Paragraph 6 is admitted insofar as it alleges that that Plaintiff has attached to the Complaint copies of what appears to be a decision from the Eleventh District Court of Appeals. Further answering paragraph 6, the sentencing entries in question speak for themselves and

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Defendant denies any inconsistent allegations. Any remaining allegations of Paragraph 6 are denied for lack of knowledge.

7. Paragraph 7 is denied for lack of knowledge.

8. Paragraph 8 is denied for lack of knowledge.

9. Paragraph 9 is admitted insofar as it alleges that Plaintiff has attached to the Complaint a copy of what appears to be a decision from the Eleventh District Court of Appeals. Further answering paragraph 9, the decision in question speaks for itself and Defendant denies any inconsistent allegations. Any remaining allegations of Paragraph 9 are denied for lack of knowledge.

10. Paragraph 10 is admitted insofar as it alleges that Plaintiff has attached to the Complaint a copy of what appears to be a judgment entry from the Ashtabula County Court of Common Pleas. Further answering paragraph 10, the judgment entry in question speaks for itself and Defendant denies any inconsistent allegations. Any remaining allegations of Paragraph 10 are denied for lack of knowledge.

11. Paragraph 11 states legal conclusions rather than factual allegations and thus requires no response. However, if this Court determines that a response is required, paragraph 11 is denied for lack of knowledge.

12. Paragraph 12 is denied for lack of knowledge.

AFFIRMATIVE DEFENSES

13. Plaintiff has failed to state a claim for which relief may be granted.

Respectfully submitted,

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COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

On November 21st, 2014, we sent an electronic copy of this document via email to
Plaintiff's Counsel: Ariana E. Tarighati at aetarighati@windstream.net.



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