

OHIO COURT OF APPEALS, NINTH JUDICIAL DISTRICT

Maurent v. Foley

2026-Ohio-1103 · No. 23CA012017 · Decided March 30, 2026

SUMMARY

The Ninth District Court of Appeals of Ohio reversed the Lorain County Court of Common Pleas judgment granting Felix Maurent a writ of habeas corpus and ordering his release. The appellate court held that Maurent’s petition was required to be dismissed because his inmate-account affidavit did not provide the account balance for each individual month of the preceding six-month period as required by Ohio Revised Code 2969.25(C). The matter was remanded for entry of a dismissal, without reaching the Warden’s substantive assignments of error.

CASE DETAILS

COURT	Ohio Court of Appeals, Ninth Judicial District
WRITING FOR THE COURT	Jill Flagg Lanzinger; Stevenson, P.J.; Sutton, J.
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	March 30, 2026
DOCKET	23CA012017
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal by the warden from the Lorain County Court of Common Pleas judgment granting Maurent's petition for a writ of habeas corpus and ordering his immediate release. The Ohio Supreme Court previously reversed this Court's dismissal of the appeal as moot and remanded for further proceedings.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals decision
PARTIES	Jerry Spatny, Warden v. Felix Maurent

TOPICS

- state post-conviction relief
- statutory interpretation
- appellate procedure
- appellate jurisdiction
- civil procedure

PRACTICE AREAS

- habeas corpus
- appellate procedure
- civil procedure
- statutory interpretation

QUESTIONS PRESENTED

1. Whether Maurent's habeas petition had to be dismissed because the certified inmate-account statement filed under R.C. 2969.25(C) reported account activity for the six-month period in lump sums rather than stating the account balance for each individual month.
2. Whether failure to comply with the mandatory filing requirements of R.C. 2969.25(C) can be excused through substantial compliance or cured after filing.

HOLDINGS

1. A habeas petitioner seeking a waiver of filing fees must file a statement setting forth the inmate-account balance for each of the preceding six months. A statement that summarizes the entire period in lump sums without providing the balance for each individual month does not comply with R.C. 2969.25(C) (1).
2. The requirements of R.C. 2969.25(C) are mandatory; substantial compliance is insufficient, and the failure to comply cannot be cured after filing. The noncompliant habeas petition therefore had to be dismissed.

KEY QUOTATIONS

"The requirements of R.C. 2969.25 are mandatory and failure to comply with them requires dismissal of an inmate's complaint." (§ 9)

"R.C. 2969.25(C) does not permit substantial compliance." (§ 11)

FACTUAL BACKGROUND

Maurent received a prison sentence in Delaware County in July 2012. The Department of Rehabilitation and Correction initially calculated his release date based on an eleven-year sentence, but later determined that his sentence was thirteen years. Maurent filed a habeas petition in March 2023 seeking immediate release, and the trial court granted the writ after a hearing.

PROCEDURAL HISTORY

Maurent filed a pro se habeas petition seeking release based on the alleged expiration of his prison sentence. The trial court denied the warden's summary-judgment motion, held a hearing, granted the writ, and ordered Maurent released. This Court initially dismissed the warden's appeal as moot after Maurent's release, but the Ohio Supreme Court held that the appeal was not moot because Maurent could be returned to prison if the warden prevailed, reversed, and remanded. On remand, this Court held that the petition had to be dismissed for failure to comply with R.C. 2969.25(C).

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Lorain County Court of Common Pleas must enter a judgment dismissing Maurent's habeas petition for noncompliance with R.C. 2969.25(C).

CASES CITED

- Robinson v. State, 2021-Ohio-3865, ¶ 8
- State ex rel. Roden v. Ohio Department of Rehabilitation & Correction, 2020-Ohio-408, ¶ 6
- State ex rel. Hall v. Mohr, 2014-Ohio-3735, ¶¶ 4-5
- State ex rel. Foster v. Foley, 2022-Ohio-3168, ¶¶ 10-11
- State ex rel. Powe v. Lanzinger, 2019-Ohio-954, ¶¶ 6-8
- State v. Wright, 2016-Ohio-5722, ¶ 11 (4th Dist.)
- State v. Clark, 2025-Ohio-4410, ¶ 32 (Hawkins, J., concurring)
- Maurent v. Foley, 2024-Ohio-2476, ¶¶ 7-12 (9th Dist.)
- Maurent v. Spatny, 2025-Ohio-5002, ¶ 19