

SUPREME COURT OF OHIO

State ex rel. Rosnick v. Geauga Cty. Sheriff's Office

2026-Ohio-1127 · No. 2025-0683 · Decided April 2, 2026

SUMMARY

The Supreme Court of Ohio denied Jocelyn Rosnick’s request for a writ of mandamus seeking contracts, drafts, and related memoranda allegedly executed by the Geauga County Sheriff’s Office with federal agencies. The court held that Rosnick failed to prove by clear and convincing evidence that the sheriff’s office possessed responsive records and that the office could assert during litigation that it did not possess such records. The court also denied statutory damages, attorney fees, court costs, and Rosnick’s motion to file rebuttal evidence.

CASE DETAILS

COURT	Supreme Court of Ohio
WRITING FOR THE COURT	Per Curiam; Kennedy, C.J.; Fischer, J.; DeWine, J.; Brunner, J.; Deters, J.; Hawkins, J.; Shanahan, J.
JURISDICTION	Ohio
DECIDED	April 2, 2026
DOCKET	2025-0683
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original mandamus action in the Supreme Court of Ohio seeking production of public records under Ohio's Public Records Act, together with statutory damages, attorney fees, and court costs. After granting an alternative writ, the court considered the parties' evidence, the sheriff's office's records-clerk affidavit, and Rosnick's motion for leave to submit rebuttal evidence.
STANDARD OF REVIEW	A relator seeking a public-records mandamus writ must prove by clear and convincing evidence a clear legal right to the requested records and a corresponding clear legal duty to produce them. The admission of rebuttal evidence is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Ohio
PARTIES	Jocelyn Rosnick v. Geauga County Sheriff's Office, Scott A. Hildenbrand, Geauga County Sheriff

TOPICS

civil procedure statutory interpretation remedies municipal law attorney fees

PRACTICE AREAS

public records mandamus civil procedure statutory interpretation remedies municipal law

QUESTIONS PRESENTED

1. Whether Rosnick's motion to submit proposed rebuttal evidence was timely under S.Ct.Prac.R. 12.06(B).
2. Whether Rosnick proved by clear and convincing evidence that the sheriff's office possessed responsive public records that it had failed to produce.
3. Whether R.C. 149.43 prohibits a public office from asserting for the first time in litigation that it does not possess responsive records.
4. Whether Rosnick was entitled to statutory damages, attorney fees, or court costs.

HOLDINGS

1. Rosnick's motion for leave to file rebuttal evidence was untimely because S.Ct.Prac.R. 12.06(B) required the motion to be filed within the time permitted for her reply brief, and she filed it after that period.
2. Rosnick was not entitled to a writ of mandamus because she failed to prove by clear and convincing evidence that the sheriff's office possessed responsive records that it had failed to produce.
3. R.C. 149.43 does not prohibit a public office from asserting for the first time in litigation that it does not possess responsive records.
4. Rosnick was not entitled to statutory damages, attorney fees, or court costs because she failed to establish that the sheriff's office violated an obligation under R.C. 149.43(B).

KEY QUOTATIONS

“R.C. 149.43 does not prohibit a public office from asserting for the first time in litigation that it does not possess responsive records.” (¶ 20)

“A public office does not have a clear legal duty to furnish records that are not in its possession or control.” (¶ 21)

“For the foregoing reasons, we deny Rosnick’s request for a writ of mandamus, deny her requests for awards of statutory damages, court costs, and attorney fees, and deny her motion for leave to file revised evidence. Writ denied.” (¶ 23)

FACTUAL BACKGROUND

Rosnick requested contracts, drafts of contracts, and related memoranda allegedly executed by the Geauga County Sheriff's Office with DHS, ICE, or USMS from June 1, 2024, through March 3, 2025. The sheriff's office

denied the request based on asserted federal-law restrictions, but in the mandamus action its records clerk submitted an affidavit stating that the office had executed no contracts with those agencies during the relevant period and possessed no responsive drafts or amendments. Rosnick sought to introduce emails referring to possible contract-related materials, but the court denied her motion as untimely.

PROCEDURAL HISTORY

Rosnick requested contracts, drafts, and related memoranda concerning agreements between the Geauga County Sheriff's Office and DHS, ICE, or USMS during a specified period. The sheriff's office initially denied the request on the ground that federal law prohibited disclosure, then asserted in the mandamus action that it possessed no responsive records. The Supreme Court of Ohio denied Rosnick's motion to submit rebuttal evidence as untimely and denied the writ and all requested monetary relief.

DISPOSITION

writ_denied

CASES CITED

- State ex rel. Mobley v. Powers, 2024-Ohio-104, ¶ 11
- State v. McNeill, 1998-Ohio-293, ¶ 44
- State ex rel. Fenstermaker v. VanEerten, 2025-Ohio-5298, ¶ 10
- State ex rel. Ware v. Beggs, 2024-Ohio-611, ¶ 11
- State ex rel. Horton v. Kilbane, State ex rel. Horton v. Kilbane, 2022-Ohio-205, ¶ 11
- State ex rel. Ware v. Smith, 2025-Ohio-1856, ¶ 16
- State ex rel. Summers v. Fox, 2020-Ohio-5585, ¶ 74
- State ex rel. Castellon v. Cuyahoga Cty. Prosecutor's Office, 2025-Ohio-2787, ¶ 17
- State ex rel. Frank v. Clermont Cty. Prosecutor, 2021-Ohio-623, ¶ 23

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