

COURT OF CLAIMS OF OHIO

Clyde v. Mantua

2026-Ohio-1316 · No. 2025-00938PQ · Decided March 31, 2026

SUMMARY

The Ohio Court of Claims Special Master recommends dismissing Nathan Clyde’s public-records complaint against the Village of Mantua because he did not serve the preliminary complaint as required by R.C. 149.43(C). The recommendation denies the Village’s motions to dismiss for want of prosecution, impose sanctions, strike evidence, and award attorney fees and costs, and treats its summary-judgment motion as moot. The requester is recommended to bear the costs of the case.

CASE DETAILS

COURT	Court of Claims of Ohio
WRITING FOR THE COURT	Sarah Pierce, Special Master
JURISDICTION	Ohio Court of Claims
DECIDED	March 31, 2026
DOCKET	2025-00938PQ
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation in a special statutory public-records proceeding under R.C. 2743.75. The special master recommended dismissal of the requester’s complaint for failure to comply with the preliminary-service requirements of R.C. 149.43(C), denial of the respondent’s motions to strike, dismiss for want of prosecution, and impose sanctions, denial as moot of the respondent’s summary-judgment motion, denial of attorney fees and related costs, and assessment of court costs against the requester.
STANDARD OF REVIEW	A motion to strike evidentiary material is reviewed under an abuse-of-discretion standard. The report also applied the statutory requirements governing initiation of a public-records action and the standards for frivolous-conduct sanctions.
PRECEDENTIAL VALUE	Published report and recommendation; legal conclusions are subject to objection and adoption by the Court of Claims.
PARTIES	Nathan Clyde v. Village of Mantua

TOPICS

service of process

civil procedure

administrative procedure act

summary judgment

sanctions

PRACTICE AREAS

public records

civil procedure

administrative law

evidence

sanctions

QUESTIONS PRESENTED

1. Whether the requester complied with R.C. 149.43(C)(1) and (2) by serving the preliminary complaint pursuant to Ohio Civil Rule 4 and properly transmitting it before filing the public-records action.
2. Whether the respondent's motion to strike should be granted because the requester's evidence lacked an authenticating affidavit and was not served in compliance with Civil Rule 5.
3. Whether the requester's failure to attend mediation and alleged pursuit of nonexistent records warranted dismissal for want of prosecution or sanctions.
4. Whether a Civil Rule 56 motion for summary judgment is proper in the special statutory proceeding under R.C. 2743.75.
5. Who should bear the costs of the action when no violation of the Public Records Act is found.

HOLDINGS

1. The requester failed to comply with R.C. 149.43(C)(1) because emailing the preliminary complaint did not constitute service pursuant to Ohio Civil Rule 4. Consequently, the requester could not properly affirm compliance under R.C. 149.43(C)(2), and dismissal was recommended.
2. The respondent's motion to strike should be denied because, despite an improper method of service and lack of an authenticating affidavit, the respondent had actual notice, was not prejudiced, and the evidence primarily consisted of undisputed communications and the public-records request.
3. Dismissal for want of prosecution and sanctions should be denied because the requester's conduct was not shown to be frivolous, willfully undertaken, or in bad faith, and the failure to attend mediation did not rise to sanctionable conduct.
4. A Civil Rule 56 motion for summary judgment is not contemplated by the special statutory public-records proceeding. The substance of the respondent's motion was therefore treated as a response to the complaint, and the motion was recommended to be denied as moot.
5. Because no violation of the Public Records Act was found, the requester should bear the court costs of the action.

KEY QUOTATIONS

"R.C. 149.43(C)(1) requires the preliminary complaint to be served pursuant to Civ.R. 4. Service under Civ.R. 4 may be achieved through the methods set forth in Civ.R. 4.1 et seq." (¶ 8)

"courts must be very careful before imposing sanctions in a public-records case" (¶ 16)

“A Civil Rule 56 motion for summary judgment is not contemplated by this special statutory proceeding.” (§ 17)

FACTUAL BACKGROUND

On October 27, 2025, Nathan Clyde requested records concerning a disciplinary hearing for the Village of Mantua’s police chief, including question cards, related materials, and notes of council members. The Village responded that some requested materials were transitory notes and that other responsive records did not exist. Clyde later emailed a complaint form to the Village but did not serve the preliminary complaint by a method authorized by Ohio Civil Rule 4 before filing the action. Clyde also failed to attend two mediation conferences, explaining that a mental-health condition related to his military service prevented meaningful participation.

PROCEDURAL HISTORY

Nathan Clyde submitted a public-records request to the Village of Mantua and filed a complaint in the Ohio Court of Claims. The matter was referred to mediation, which did not resolve the dispute, after which the parties submitted evidence and memoranda. The Village filed motions to dismiss for want of prosecution, impose sanctions, strike evidence, obtain summary judgment, and recover attorney fees and costs. The special master issued this report and recommendation, subject to objections under R.C. 2743.75(F)(2).

DISPOSITION

other

CASES CITED

- State ex rel. Claypool v. Cty. of Geauga, 2025-Ohio-5863 (11th Dist.)
- State ex rel. Ames v. Concord Twp. Bd. of Trustees, 2026-Ohio-107 (11th Dist.)
- Whitt v. Wolfinger, 2015-Ohio-2726 (4th Dist.)
- De Hart v. Aetna Life Ins. Co., 69 Ohio St. 2d 189 (1982)
- Welsh-Huggins v. Jefferson Cty. Prosecutor’s Office, 2020-Ohio-5371
- Bardwell v. Cuyahoga Cty. Bd. of Commrs., 2010-Ohio-5073