

COURT OF APPEALS OF OHIO, TENTH APPELLATE DISTRICT

State ex rel. Wright v. Franklin Cty. Mun. Court

2026-Ohio-277 · No. 25AP-562 · Decided January 29, 2026

SUMMARY

The Tenth District Court of Appeals of Ohio granted the Franklin County Municipal Court’s motion to dismiss a mandamus action brought by Ramone Wright. The court adopted the magistrate’s decision, concluding that Wright failed to comply with R.C. 2969.25(A) by not filing the required affidavit describing his prior civil actions. The court dismissed the action without addressing the respondent’s remaining grounds for dismissal.

CASE DETAILS

COURT	Court of Appeals of Ohio, Tenth Appellate District
WRITING FOR THE COURT	Dingus, J.; Boggs, P.J.; Jamison, J.
JURISDICTION	Court of Appeals of Ohio, Tenth Appellate District
DECIDED	January 29, 2026
DOCKET	25AP-562
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original mandamus action dismissed on respondent's Civ.R. 12(B)(6) motion for failure to comply with the affidavit requirements of R.C. 2969.25(A).
STANDARD OF REVIEW	On a Civ.R. 12(B)(6) motion, the court presumes factual allegations in the complaint to be true, draws reasonable inferences in the relator's favor, and determines whether it appears beyond doubt that the relator could prove no set of facts entitling the relator to relief. The court generally considers only the complaint and attached documents, subject to limited judicial-notice principles.
PRECEDENTIAL VALUE	published
PARTIES	Ramone Wright v. Franklin County Municipal Court

TOPICS

- writ of certiorari
- motions to dismiss
- civil procedure
- subject matter jurisdiction
- appellate procedure

PRACTICE AREAS

civil procedure

mandamus

appellate procedure

inmate litigation

QUESTIONS PRESENTED

1. Whether Wright's mandamus petition was subject to dismissal for failure to comply with the inmate affidavit requirements of R.C. 2969.25(A).
2. Whether the court should reach the respondent's additional arguments concerning captioning, the municipal court's capacity to be sued, and the sufficiency of the substantive allegations.

HOLDINGS

1. An inmate must strictly and timely comply with R.C. 2969.25(A) by filing an affidavit describing each civil action or appeal filed during the preceding five years. Failure to comply is grounds for dismissal, and the defect cannot be cured by a later filing.
2. The court may decline to address additional grounds for dismissal when noncompliance with R.C. 2969.25(A) independently requires dismissal.

KEY QUOTATIONS

"R.C. 2969.25 requires strict compliance." (§ 20)

"Therefore, because relator has failed to file an affidavit of prior civil actions, and respondent has demonstrated that relator has filed at least one civil action in the previous five years that he has failed to report, relator's petition for writ of mandamus must be dismissed based upon R.C. 2969.25(A)." (§ 21)

FACTUAL BACKGROUND

Wright, who was incarcerated in a federal correctional institution in South Carolina, filed a mandamus petition seeking to vacate a conviction allegedly entered without subject-matter jurisdiction and in violation of due process. His petition was accompanied by a document titled "Affidavit of Civil Filings," but the document was only a title page and contained no case information or notarization. Court records showed that Wright had filed at least eight civil actions or appeals during the preceding five years, none of which was properly described in the required affidavit.

PROCEDURAL HISTORY

Wright filed an original action seeking a writ of mandamus requiring the Franklin County Municipal Court to vacate his conviction. The respondent moved to dismiss under Civ.R. 12(B)(6). A magistrate recommended dismissal because Wright failed to file the required affidavit describing his prior civil actions under R.C. 2969.25(A). No objections were filed, and the appellate court adopted the magistrate's decision and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- State ex rel. Pressley v. Indus. Comm., 11 Ohio St.2d 141 (1967)
- State ex rel. Turner v. Houk, 2007-Ohio-814, ¶ 5
- Justice v. Jefferson-Pilot Life Ins., 1998 Ohio App. LEXIS 6250 (10th Dist. Dec. 24, 1998)
- State ex rel. Hickman v. Capots, 45 Ohio St.3d 324 (1989)
- State ex rel. Hanson v. Guernsey Cty. Bd. of Commrs., 1992-Ohio-73
- Assn. for the Defense of the Washington Local School Dist. v. Kiger, 42 Ohio St.3d 116, 117 (1989)
- Brisk v. Draf Indus., 2012-Ohio-1311, ¶ 10 (10th Dist.)
- Park v. Acierno, 2005-Ohio-1332, ¶ 29 (7th Dist.)
- Myers v. Vandermark, 2024-Ohio-3205, ¶ 20 (7th Dist.)
- State ex rel. Nyamusevya v. Hawkins, 2020-Ohio-2690, ¶ 33 (10th Dist.)
- State ex rel. Ohio Republican Party v. Fitzgerald, 2015-Ohio-5056, ¶ 18
- State ex rel. Womack v. Marsh, 2011-Ohio-229, ¶ 8
- Draughon v. Jenkins, 2016-Ohio-5364, ¶ 26 (4th Dist.)
- State ex rel. Everhart v. McIntosh, 2007-Ohio-4798, ¶¶ 8, 10
- State ex rel. Swanson v. Ohio Dept. of Rehab. & Corr., 2019-Ohio-1271, ¶ 6
- State ex rel. Washington v. Ohio Adult Parole Auth., 87 Ohio St.3d 258 (1999)
- State ex rel. Zanders v. Ohio Parole Bd., 82 Ohio St.3d 421 (1998)
- State ex rel. Manns v. Henson, 2008-Ohio-4478, ¶ 4
- Martin v. Ghee, 2002-Ohio-1621 (10th Dist.)
- State ex rel. Young v. Clipper, 2015-Ohio-1351, ¶ 9