

OHIO COURT OF APPEALS, TENTH APPELLATE DISTRICT

Robinson v. Judge Page

2026-Ohio-1468 · No. 25AP-827 · Decided April 23, 2026

SUMMARY

The Ohio Tenth District Court of Appeals dismissed Sterling Robinson’s mandamus action against Judge Jaiza N. Page. The court held that Robinson failed to establish a clear legal right or a clear legal duty to vacate his criminal conviction based on his asserted lack of consent to the proceedings. The court adopted the magistrate’s decision, overruled Robinson’s objections, and granted the respondent’s Civ.R. 12(B)(6) motion to dismiss.

CASE DETAILS

COURT	Ohio Court of Appeals, Tenth Appellate District
WRITING FOR THE COURT	Edelstein, J.; Beatty Blunt, J.; Mentel, J.
JURISDICTION	Ohio Court of Appeals, Tenth Appellate District
DECIDED	April 23, 2026
DOCKET	25AP-827
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original mandamus action challenging the validity of a criminal conviction and sentence. The respondent moved to dismiss under Civ.R. 12(B)(6), the magistrate recommended dismissal, and the relator objected to that recommendation.
STANDARD OF REVIEW	The court independently reviewed the magistrate's decision under Civ.R. 53(D)(4)(d). For the Civ.R. 12(B)(6) issue, the court presumed factual allegations true, drew reasonable inferences in the relator's favor, and considered whether it appeared beyond doubt that the relator could prove no set of facts entitling him to relief.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Sterling Robinson, Relator v. Judge Jaiza N. Page, Respondent

TOPICS

- subject matter jurisdiction
- motions to dismiss
- appellate procedure
- civil procedure
- criminal procedure

PRACTICE AREAS

Appellate procedure

Civil procedure

Criminal procedure

Extraordinary writs

Subject-matter jurisdiction

QUESTIONS PRESENTED

1. Whether Robinson stated a mandamus claim by alleging a clear legal right to vacatur of his criminal conviction and a clear legal duty requiring the trial judge to vacate it.
2. Whether a criminal defendant's lack of consent to criminal proceedings deprives a court of common pleas of subject-matter jurisdiction over felony charges.
3. Whether the complaint was properly dismissed under Civ.R. 12(B)(6).
4. Whether the objections to the magistrate's decision should be considered despite the clerk's docketing of them after the filing deadline.

HOLDINGS

1. A criminal defendant's consent is irrelevant to the subject-matter jurisdiction of an Ohio court of common pleas over felony criminal cases. A criminal judgment is not a consent judgment, and withdrawing consent does not divest the court of jurisdiction.
2. Robinson failed to state a claim for mandamus because he did not allege a clear legal right to have his conviction vacated or a clear legal duty on the part of Judge Page to vacate it.
3. A mandamus complaint may be dismissed under Civ.R. 12(B)(6) when, after accepting factual allegations as true and drawing reasonable inferences for the relator, it appears beyond doubt that the relator can prove no set of facts entitling him to the writ.
4. The court treated Robinson's objections as timely because the certified-mail receipt indicated that the clerk received them by the deadline, even though the objections were not entered on the docket until four days later.

KEY QUOTATIONS

“A complaint in mandamus states a claim if it alleges the existence of the legal duty and the want of an adequate remedy at law with sufficient particularity so that the respondent is given reasonable notice of the claim asserted.” (§ 8)

“A criminal defendant need not consent to the proceedings in order to vest the common pleas court with jurisdiction over the matter.” (§ 11)

“Because Mr. Robinson’s complaint failed to allege the trial court lacked subject-matter jurisdiction under any viable legal theory, the magistrate correctly determined we must dismiss his complaint for failure to state a claim upon which relief may be granted.” (§ 12)

FACTUAL BACKGROUND

Robinson was convicted by a jury in the Franklin County Court of Common Pleas of trafficking in cocaine and received an 11-year prison sentence. He argued that statements made during allocution withdrawing consent

rendered the criminal judgment a void consent judgment and deprived the trial court of jurisdiction. The underlying case involved felony charges, over which the common pleas court had statutory subject-matter jurisdiction.

PROCEDURAL HISTORY

Robinson was convicted by a jury of trafficking in cocaine in Franklin County Court of Common Pleas case No. 18CR-5371 and sentenced to 11 years in prison. The Tenth District affirmed on direct appeal. Robinson later sought to vacate the criminal judgment and filed a prohibition action, which was dismissed on September 10, 2024. He then filed this mandamus complaint on October 15, 2025. The magistrate recommended dismissal under Civ.R. 12(B)(6); the appellate court independently reviewed the objections, adopted the magistrate's findings and conclusions, granted the motion to dismiss, and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- State ex rel. Pressley v. Indus. Comm., 11 Ohio St.2d 141, 162-163 (1967)
- State ex rel. Berger v. McMonagle, 6 Ohio St.3d 28, 29 (1983)
- State ex rel. Hanson v. Guernsey Cty. Bd. of Commrs., 65 Ohio St.3d 545, 548 (1992)
- Assn. for the Defense of the Washington Local School Dist. v. Kiger, 42 Ohio St.3d 116, 117 (1989)
- State ex rel. Alford v. Willoughby Civ. Serv. Comm., 58 Ohio St.2d 221, 224 (1979)
- State ex rel. Turner v. Houk, 2007-Ohio-814, ¶ 5
- State ex rel. Conkle v. Sadler, 2003-Ohio-4124, ¶ 8
- State ex rel. Womack v. Marsh, 2011-Ohio-229, ¶ 8
- State ex rel. Mobley v. O'Donnell, 2021-Ohio-715, ¶ 9 (10th Dist.)
- State ex rel. Everhart v. McIntosh, 2007-Ohio-4798, ¶ 10
- State ex rel. White v. Aveni, 2023-Ohio-1549, ¶ 22 (10th Dist.)
- State ex rel. Mobarak v. Brown, 2023-Ohio-436, ¶ 14 (10th Dist.)
- State v. Harper, State v. Harper, 2020-Ohio-2913, ¶ 25
- Smith v. Sheldon, 2019-Ohio-1677, ¶ 8
- State v. Gunnell, 2013-Ohio-3928, ¶¶ 5, 10 (10th Dist.)
- State ex rel. Furr v. Ruehlman, 2023-Ohio-481, ¶¶ 9-10
- State v. Matthews, 2016-Ohio-5055, ¶ 5 (2d Dist.)
- State v. Labiaux, 2017-Ohio-7760, ¶ 15 (7th Dist.)
- State v. Flynt, 44 Ohio App.2d 315, 317 (1st Dist. 1975)
- Schmitt v. Ward, 2018-Ohio-1043, ¶ 4 (9th Dist.)
- State ex rel. Newell v. Cuyahoga Cty. Court of Common Pleas, 2021-Ohio-3662, ¶ 10
- State ex rel. Green v. Wetzel, 2019-Ohio-4228, ¶ 6

- State ex rel. Russell v. Klatt, 2020-Ohio-875, ¶ 7
- State ex rel. Blachere v. Tyack, 2023-Ohio-781, ¶ 13 (10th Dist.)
- State ex rel. Gil-Llamas v. Hardin, 2021-Ohio-1508, ¶ 19
- State ex rel. Martre v. Reed, 2020-Ohio-4777, ¶ 12
- State ex rel. A.N. v. Cuyahoga Cty. Prosecutor's Office, 2021-Ohio-2071, ¶ 8
- State ex rel. Gordon v. Summit Cty. Court of Common Pleas, 2025-Ohio-2927, ¶ 8

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