

COURT OF APPEALS OF OHIO, ELEVENTH APPELLATE DISTRICT,
GEAUGA COUNTY

State ex rel. Ames v. West Geauga Local School Dist. Bd. of Edn.

2026-Ohio-2248 · No. 2025-G-0029 · Decided June 15, 2026

SUMMARY

The Eleventh District Court of Appeals of Ohio dismissed Brian M. Ames’s petition for a writ of mandamus seeking unredacted school-district public records. The court held that Ames failed to properly serve the complaint under Ohio Civil Rule 4 because email service was not permitted, making the statutory three-day cure period in R.C. 149.43(C)(1) inapplicable and the mandamus action premature. The court also denied the parties’ motions for sanctions and overruled the remaining motions as moot.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eleventh Appellate District, Geauga County
WRITING FOR THE COURT	Per Curiam; Matt Lynch, P.J.; Robert J. Patton, J.; Scott Lynch, J.
JURISDICTION	Court of Appeals of Ohio, Eleventh Appellate District, Geauga County
DECIDED	June 15, 2026
DOCKET	2025-G-0029
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original action for a writ of mandamus seeking production of unredacted public records under R.C. 149.43. The court dismissed the petition as premature for failure to properly serve the statutory complaint and allow the required three-business-day cure period, denied the parties' sanctions motions, and overruled the remaining motions as moot.
PRECEDENTIAL VALUE	Published opinion
PARTIES	State of Ohio ex rel. Brian M. Ames v. West Geauga Local School District Board of Education

TOPICS

- service of process
- civil procedure
- sanctions
- appellate procedure
- administrative law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Ames properly served the complaint required by R.C. 149.43(C)(1) before commencing a mandamus action.
2. Whether the petition was premature because Ames did not properly trigger and await the three-business-day statutory cure period.
3. Whether the parties were entitled to sanctions under Civ.R. 11 and R.C. 2323.51.

HOLDINGS

1. Email is not a permitted method of service for the complaint under Civ.R. 4.1; therefore, Ames did not properly serve West Geauga pursuant to Civ.R. 4.
2. The mandamus petition was premature and had to be dismissed because Ames failed to properly serve the initial complaint, so the three-business-day period under R.C. 149.43(C)(1) was never triggered.
3. The parties' sanctions requests were properly denied because the requests lacked particularized grounds, supporting argument, or an independent basis for sanctions.

KEY QUOTATIONS

“As Civ.R. 4.1 does not permit email service as a method of service for a complaint, West Geauga was not properly served pursuant to Civ.R. 4.” (¶ 7)

“Accordingly, Ames’s petition requesting a writ of mandamus with this court is premature, as he failed to comply with the requirements of the statute.” (¶ 7)

“For the foregoing reasons, West Geauga’s December 20, 2025 and January 22, 2026 motions for sanctions are DENIED; Ames’s September 29, 2025 motion for sanctions is DENIED; and Ames’s petition for a writ of mandamus is DISMISSED for lack of jurisdiction.” (¶ 13)

FACTUAL BACKGROUND

Brian M. Ames requested West Geauga Local School District's March 2025 check register under Ohio's Public Records Act. The district provided the register but redacted student initials, asserting that the redactions were required by FERPA and R.C. 149.43. Before filing his mandamus petition, Ames emailed a statutory complaint to the district's treasurer and counsel, but he did not use one of the service methods permitted by Civ.R. 4.1.

PROCEDURAL HISTORY

Ames submitted a public-records request to West Geauga on July 15, 2025, and received a redacted check register on July 24, 2025. He sent the statutory complaint by email on July 25 and filed his mandamus petition in the court of appeals on July 31, 2025. The court held that email was not a permitted method of service under Civ.R. 4.1, so the statutory cure period was never triggered and the mandamus action was premature. The court also denied all identified sanctions motions and overruled the remaining motions as moot.

DISPOSITION

dismissed

CASES CITED

- McLemore v. Clinton Cty. Sheriff's Office, 2023-Ohio-1604, ¶ 47 (12th Dist.)

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