

OHIO COURT OF APPEALS, SIXTH APPELLATE DISTRICT, LUCAS COUNTY

State ex rel. Williamson v. Toledo

2026-Ohio-1633 · No. L-26-00101 · Decided May 5, 2026

SUMMARY

The Sixth District Court of Appeals dismissed Michael Williamson’s original action seeking a writ of prohibition against the City of Toledo, its police department, a municipal prosecutor, and an IRS commissioner. The court held that the respondents did not exercise judicial or quasi-judicial authority and therefore were not subject to a writ of prohibition. Costs were assessed to Williamson.

CASE DETAILS

COURT	Ohio Court of Appeals, Sixth Appellate District, Lucas County
WRITING FOR THE COURT	Gene A. Zmuda; Myron C. Duhart; Charles E. Sulek
JURISDICTION	Ohio Court of Appeals, Sixth Appellate District, Lucas County
DECIDED	May 5, 2026
DOCKET	L-26-00101
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Relator filed an original action in the Ohio Court of Appeals seeking a writ of prohibition to prevent respondents from taking further action, other than dismissal, in a criminal case pending in Toledo Municipal Court.
STANDARD OF REVIEW	The court considered whether the complaint was frivolous or whether the relator could prevail on the facts alleged, permitting dismissal of the prohibition action.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals decision
PARTIES	State of Ohio, ex rel. Michael-Rashaad Williamson v. City of Toledo, Toledo Police Department, Prosecutor of the Lucas County Municipal Court, Incumbent Commissioner of Office for IRS

TOPICS

- appellate procedure
- civil procedure
- criminal procedure
- remedies

PRACTICE AREAS

civil procedure

criminal procedure

extraordinary writs

QUESTIONS PRESENTED

1. Whether the named respondents could be subject to a writ of prohibition when they did not exercise judicial or quasi-judicial power.
2. Whether the Court of Appeals could dismiss the prohibition complaint when the relator could not prevail on the facts alleged.

HOLDINGS

1. A writ of prohibition cannot issue against individuals or entities that do not exercise judicial or quasi-judicial power. Because the named respondents lacked authority to exercise judicial authority over Williamson's requests for dismissal and expungement, they were not subject to prohibition.
2. Although sua sponte dismissal of a complaint for a writ of prohibition is generally inappropriate, dismissal is warranted when the complaint is frivolous or the claimant cannot prevail on the facts alleged.

KEY QUOTATIONS

“A writ of prohibition cannot be issued against individuals that do not exercise judicial or quasi-judicial power.” (§ 3)

FACTUAL BACKGROUND

A criminal case against Michael Williamson was pending in the Toledo Municipal Court. Williamson sought to prevent the respondents from taking further action in that case and requested dismissal of the criminal case and expungement of his record. The respondents identified in the complaint did not exercise judicial or quasi-judicial authority over those requests.

PROCEDURAL HISTORY

Williamson filed a complaint for a writ of prohibition against the City of Toledo, its police department, a purported prosecutor of the Lucas County Municipal Court, and the incumbent IRS office commissioner. The Court of Appeals dismissed the action because the named respondents were not exercising judicial or quasi-judicial power and therefore were not subject to prohibition.

DISPOSITION

writ_denied

CASES CITED

- State ex rel. Jones v. Garfield Hts. Mun. Ct., 77 Ohio St.3d 447, 447-448 (1997)
- State ex rel. Cossett v. Executive State Governors Federalism Summit, 74 Ohio St.3d 1416 (1995)

- State ex rel. McNamara, 2025-Ohio-979
- State ex rel. Gray v. Leis, 62 Ohio St.2d 102, 103 (1980)

OPINION

State ex rel. Williamson v. Toledo

2026 Ohio 1633

PER CURIAM.

[Cite as State ex rel. Williamson v. Toledo, 2026-Ohio-1633.]

IN THE COURT OF APPEALS OF OHIO

SIXTH APPELLATE DISTRICT

LUCAS COUNTY

State of Ohio, ex. rel Michael-Rashaad Court of Appeals No. {48}L-26-00101 Williamson Relator
v.

DECISION AND JUDGMENT

City of Toledo, et al. Decided: May 5, 2026 Respondents ***** ZMUDA, J. {¶ 1} Relator, Michael Williamson, proceeding pro se, filed this original action seeking a writ of prohibition against respondents the City of Toledo and its police department, the “Prosecutor of the Lucas County Municipal Court,”¹ and the Incumbent Commissioner of Office for IRS. He requests an order from this court prohibiting respondents from taking further action, other than dismissal, in a 1 Presumably, relator intended to reference the Toledo Municipal Court as there is no “Lucas County Municipal Court.” This misnomer does not impact our resolution of this action as correction of this error would not alter our analysis. case currently pending before the Toledo Municipal Court. Because respondents are not subject to a writ of prohibition, we dismiss this action. {¶ 2} Initially, we note that sua sponte dismissal of a complaint for a writ of prohibition is generally inappropriate. State ex rel. Jones v. Garfield Hts. Mun. Ct., 77 Ohio St.3d 447, 447-448 (1997), citing State ex rel. Cossett v. Executive State Governors Federalism Summit, 74 Ohio St.3d 1416 (1995). However, dismissal is warranted when the complaint is frivolous or the claimant cannot prevail on the facts alleged in the complaint. Id. {¶ 3} “To be entitled to a writ of prohibition, [relators must first] establish that [respondents] are about to exercise or have exercised judicial power[.]” State ex rel. McNamara, 2025-Ohio-979, ¶ 10. A writ of prohibition cannot be issued against individuals that do not exercise judicial or quasi-judicial power. Id. at ¶ 11, citing State ex rel. Gray v. Leis, 62 Ohio St.2d 102, 103 (1980) (holding that a writ of prohibition cannot be issued against a prosecutor as they do not exercise judicial power). Relator’s complaint offers no facts that suggest the named respondents are exercising any judicial or quasi-judicial power. Instead, his complaint alleges that the pending criminal case against him should be dismissed and that his record should be expunged. None of the named respondents can exercise judicial authority over those requests. As a result, we cannot issue a writ of prohibition against them as a matter of law. Id. Relator, then, cannot succeed on the merits of his complaint and we dismiss this action.

Jones at 447-448. {¶ 4} Writ denied. Costs assessed to relator. 2. To the clerk: Manner of Service
The clerk is directed to serve upon all parties, within three days, a copy of this decision in a
manner prescribed by Civ.R. 5(B). A certified copy of this entry shall constitute the mandate
pursuant to App.R. 27. See also 6th Dist.Loc.App.R. 4. Gene A. Zmuda, J.

JUDGE

Myron C. Duhart, J.

JUDGE

Charles E. Sulek, J.

CONCUR. JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions.
Parties interested in viewing the final reported version are advised to visit the Ohio Supreme
Court's web site at: <http://www.supremecourt.ohio.gov/ROD/docs/>. 3.