

Case No. \_\_\_\_\_

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**Supreme Court  
of the State of Ohio**

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**STATE OF OHIO *ex rel.* EUGENE J. UTZ,**

**Relator,**

**v.**

**PAVAN V. PARIKH,  
Hamilton County Clerk of Courts,**

**Respondent.**

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*Original Action in Mandamus*

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**VERIFIED COMPLAINT FOR WRIT OF MANDAMUS**

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**SUPREME COURT  
OF THE STATE OF OHIO**

<b>STATE OF OHIO <i>ex rel.</i> EUGENE J. UTZ</b>	:	Case No. _____
<b>% Curt C. Hartman, Legal Counsel</b>	:	
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<b>Cincinnati, Ohio 45230,</b>	:	
	:	
<b>Relator,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>PAVAN V. PARIKH</b>	:	<b>VERIFIED COMPLAINT</b>
<b>Hamilton County Clerk of Courts</b>	:	<b>FOR WRIT OF MANDAMUS</b>
<b>1000 Main Street, Room 375</b>	:	
<b>Cincinnati, Ohio 45202,</b>	:	
	:	
<b>Respondent.</b>	:	
	:	

Comes now the STATE OF OHIO, by and through Relator EUGENE J. UTZ, and, in support of its claim for the issuance of a writ of mandamus, alleges as follows:

1. This action is brought pursuant to the Public Records Act or, alternatively, the Ohio Rules of Superintendence, seeking a writ of mandamus ordering the Hamilton County Clerk of Courts to allow for the prompt inspection and the copying of the filings and entries in a case currently pending in the Hamilton County Municipal Court, together with an award of statutory damages and attorney fees.
  
2. As developed below, based upon news reports, there is currently a criminal case brought by the City of Cincinnati in the Hamilton County Municipal Court against an individual named Alexander Tchervinski who was brutally beaten in a melee occurring on the streets of Cincinnati in the early morning hours of July 26, 2025. This melee and the perception of

general lawlessness in the City of Cincinnati has been the subject of national and international news reports.

3. Even though “the public is a party to all criminal proceedings,” *State ex rel. Repository v. Unger*, 28 Ohio St. 3d 418, 421, 504 N.E.2d 37 (1986), and “the public [has] a right of access to any court record before, during, and for a period of time after the criminal trial” and such right “is unrestricted until a decision is made to seal records,” *State ex rel. Cincinnati Enquirer v. Winkler*, 101 Ohio St. 3d 382, 805 N.E.2d 1094, 2004-Ohio-1581 ¶11, the Hamilton County Clerk of Courts denied written requests for the prompt inspection and the copying of all filings or entries in the criminal case currently pending against Alexander Tchervinski in the Hamilton County Municipal Court even though there has not been a court order sealing or restricting access to such records.

\* \* \* \* \*

4. Relator EUGENE J. UTZ is a resident and taxpayer of the State of Ohio.

5. Respondent PAVAN V. PARIKH is the Hamilton County Clerk of Courts, which serves as the clerk for both the Hamilton County Common Pleas Court and the Hamilton County Municipal Court. In addition to being the embodiment of the Office of the Hamilton County Clerk of Courts (whose public records are at issue herein), PAVAN PARIKH is the person responsible for the records at issue herein.

\* \* \* \* \*

6. In the early morning hours of July 26, 2025, a melee erupted on the streets of the City of Cincinnati in the vicinity of Fourth and Elm Streets.

7. Soon thereafter, videos of the melee started circulating on social media.

8. The videos of the melee revealed a mob of individuals brutally attacking individuals. One individual (later identified as Alexander Tchervinski) was captured in videos being repeatedly stomped, kicked and punched while he's lying in the street. Also in the videos, a man is captured punching a woman in the face, causing her to fall to the ground, rendering her unconscious and bleeding from the mouth.

9. Within hours, videos of the the melee occurring in the City of Cincinnati on July 26, 2025, began circulating on social media.

10. Within days, the melee occurring in the City of Cincinnati and the lawless brutality demonstrated in the videos became a matter of national and even international news reports.

11. Yet, in response to the melee and the negative attention being focused on the City of Cincinnati, the so-called leadership of the City of Cincinnati, *i.e.*, the mayor, the city manager and the police chief, deflected taking any responsibility for the deteriorating conditions in the City of Cincinnati lending itself to public perception of lawlessness and, in particular, the melee occurring on July 26, 2025. For example, Cincinnati Police Chief Teresa Theetge sought to place some blame for the melee on bar owners, suggesting they may be culpable for over-serving those involved in the melee.

12. Additionally, one member of the Cincinnati City Council, Victoria Parks, directly blamed the victims of the brutal attacks, posting on social media in response to a video showing some of the melee that "They begged for that beat down!"

13. Nonetheless, within a few days of the melee, individuals engaging the brutal attacks were identified and charged by the Cincinnati Police Department.

14. Notwithstanding the prompt return of criminal charges arising from the melee, public outcry and pressure from certain quarters continued against officials of the City of Cincinnati because all the individuals facing criminal charges were black.

15. On August 1, 2025, the mayor of the City of Cincinnati, Aftab Pureval, conducted a news conference surrounded by various councilmembers and so-called community leaders from the City:<sup>1</sup>



16. One of those who Mayor Pureval allowed to speak during the press conference on August 1, 2025, was a person Mayor Pureval described as a “faith leader”, Damon Lynch. During that press conference, Mr. Lynch declared the melee had been “racialized” and then demanded that the victims be arrested, declaring “when I see the mugshots, I only see people who look like me. And I don’t see the person who re-engaged.... I have to agree with those politicizing and racializing this... And so until we see all the mugshots, this is still a racial issue.” And in response, Mayor Pureval declared that “I agree with Pastor Lynch that there is no doubt that this public safety challenge, that this incident, will require further investigation,

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<sup>1</sup> A video of this entire news conference is available at <https://www.youtube.com/watch?v=Y0xJqGJ038M>.

further charges, and further arrests for every single person involved.... I expect that we will have more charges and more arrests as the investigation proceeds.”

17. Subsequently, on August 8, 2025, the Hamilton County Jury Grand returned an *Indictment* against five individuals involved in the melee. All such individuals were black. Said *Indictment* included 8 counts, including three counts charging all five individuals with felonious assault, a second-degree felony. In the ensuing week or weeks, criminal charges were filed against additional individuals who were also black.

18. In light of the foregoing, public outcry and pressure from certain quarters further intensified against officials of the City of Cincinnati, with various groups holding press conferences calling for one of the victims of the melee (who happened to be Alexander Tchervinski who is white) be charged criminally. Some of those participating to pressure officials of the City of Cincinnati included members of the Cincinnati City Council.

19. Based upon information and belief, the grand jury reports do not indicate a no-bill being returned against Alexander Tchervinski and, thus, it appears that Hamilton County Prosecuting Attorney elected not to present potential charges to the Hamilton County Grand Jury.

20. Nonetheless, based upon news reports, on or about August 19, 2025, the Cincinnati Police Department filed misdemeanor charges against Alexander Tchervinski. Based upon investigation, this criminal case against Alexander Tchervinski was assigned Case No. 25-CRB-14476 in the Hamilton County Municipal Court.

21. Based upon news reports, according to the president of the local police union, the two detectives with the Cincinnati Police Department who spent hundreds of hours investigating the melee refused to sign the criminal complaint against Alexander Tchervinski. In fact, said

news reports indicate the president of the local police union revealed that the Cincinnati Solicitor's Office actually ordered the filing of criminal charges against Alexander Tchervinski (though, in one report, a spokesperson said in a statement that the City Solicitor did not "force" police to file charges).

\* \* \* \* \*

22. On August 28, 2025, undersigned counsel, on behalf of Relator EUGENE UTZ, presented himself in person at the Offices of the Hamilton County Clerk of Courts, during regular business hours, and tendered *Public Records Request #1* seeking the prompt inspection of "all filings or entries in Case No. 25-CRB-14476 in the Hamilton County Municipal Court."

23. On August 28, 2025, undersigned counsel, on behalf of Relator EUGENE UTZ, presented himself in person at the Offices of the Hamilton County Clerk of Courts, during regular business hours, and tendered *Public Records Request #2* seeking copies of "all filings or entries in Case No. 25-CRB-14476 in the Hamilton County Municipal Court."

24. Undersigned counsel tendered *Public Records Request #1* in writing and via hand delivery to the Offices of the Hamilton County Clerk of Courts on August 28, 2025.

25. Undersigned counsel tendered *Public Records Request #2* in writing and via hand delivery to the Offices of the Hamilton County Clerk of Courts on August 28, 2025.

26. A true and accurate copy of *Public Records Request #1*, with a hand notation of receipt indicated by the Offices of the Hamilton County Clerk of Courts, is attached hereto as *Exhibit A*.

27. A true and accurate copy of *Public Records Request #2*, with a hand notation of receipt indicated by the Offices of the Hamilton County Clerk of Courts, is attached hereto as *Exhibit B*.

28. The Chief Compliance Officer for the Hamilton County Clerk of Courts, Susan Ayers, dealt with undersigned counsel when *Public Records Request #1* and *Public Records Request #2* were presented to the Office of the Hamilton County Clerk of Courts on August 28, 2025.

29. On August 28, 2025, the Chief Compliance Officer for the Hamilton County Clerk of Courts orally denied to undersigned counsel the request for the prompt inspection of “all filings or entries in Case No. 25-CRB-14476 in the Hamilton County Municipal Court” as sought in *Public Records Request #1*.

30. On August 28, 2025, the Chief Compliance Officer for the Hamilton County Clerk of Courts orally denied to undersigned counsel the request for copies of “all filings or entries in Case No. 25-CRB-14476 in the Hamilton County Municipal Court” as sought in *Public Records Request #2*.

31. In denying the public records requests sought in *Public Records Request #1* and *Public Records Request #2*, the Chief Compliance Officer for the Hamilton County Clerk of Courts stated that the reason the Clerk of Courts will not allow the inspection or provide copies of any of the filings or entries in Case No. 25-CRB-14476 is because the City of Cincinnati had filed a motion seeking to have all documents in that case sealed.

32. Based upon information and belief, at the time *Public Records Request #1* and *Public Records Request #2* were tendered to the Office of the Hamilton County Clerk of Court, there was no court entry sealing any of the filings or entries in Case No. 25-CRB-14476.

33. In denying the inspection and/or copying of the public records requests sought in *Public Records Request #1* and *Public Records Request #2*, the Chief Compliance Officer for the

Hamilton County Clerk of Courts failed to provide any legal authority supporting or setting forth why the requests were denied.

34. In denying the inspection and/or copying of the public records requests sought in *Public Records Request #1* and *Public Records Request #2*, the Chief Compliance Officer for the Hamilton County Clerk of Courts failed to provide the explanation in writing as to why the requests were denied even though *Public Records Request #1* and *Public Records Request #2* were provided in writing.

35. Based upon information and belief, at the time of tendering *Public Records Request #1* and *Public Records Request #2*, there had been no entry by the Hamilton County Municipal Court sealing any, let alone all, of the filings or entries in Case No. 25-CRB-14476.

36. In fact, in denying the *Public Records Request #1* and *Public Records Request #2*, the Chief Compliance Officer for the Hamilton County Clerk of Courts declared that the Hamilton County Clerk of Courts was refusing to allow the inspection or to provide copies of the filings or entries in Case No. 25-CRB-14476 solely because of the motion to seal being filed by the City of Cincinnati.

37. In response to the Chief Compliance Officer for the Hamilton County Clerk of Courts declaring that the Hamilton County Clerk of Courts was refusing to allow the inspection or to provide copies of the filings or entries in Case No. 25-CRB-14476 solely because of the motion to seal being filed by the City of Cincinnati, undersigned counsel specifically requested to inspect or obtain a copy of the motion to seal filed by the City of Cincinnati in Case No. 25-CRB-14476.

38. In response to the specific request to inspect or obtain a copy of the motion to seal filed by the City of Cincinnati in Case No. 25-CRB-14476, the Chief Compliance Officer for the

Hamilton County Clerk of Courts indicated such inspection or copying would not be allowed because the motion sought to seal “all documents” and that would include the motion to seal.

\* \* \* \* \*

39. In engaging in the foregoing actions or omissions concerning *Public Records Request #1* and *Public Records Request #2*, as well as denying the specific request to inspect or copy the motion to seal, PAVAN PARIKH as the Hamilton County Clerk of Courts has violated his duties under the Public Records Act (R.C. 149.43).

40. The records sought by *Public Records Request #1* and *Public Records Request #2* are “public records” as defined in R.C. 149.43(A)(1) as the “records” sought are kept by a “public office”, as the Hamilton County Clerk of Court is a “public office” and the Hamilton County Municipal Court is a “public office”.

41. The Hamilton County Clerk of Court is a “public office” as defined in R.C. 149.011(A) as it is an office established by the laws of the State of Ohio for the exercise of a function of government.

42. The Hamilton County Municipal Court is a “public office” as defined in R.C. 149.011(A) as it is an organized body established by the laws of the State of Ohio for the exercise of a function of government.

43. The Hamilton County Municipal Court is a “public office” as defined in R.C. 149.011(A) as it is a “state agency” which is defined in R.C. 149.011(B) as including any “organized body established by the constitution and laws of this state for the exercise of any function of state government” and which expressly by statutory definition includes “any court or judicial agency.”

44. As the Hamilton County Clerk of Courts, PAVAN PARIKH is the proper party to compel the Office of the Hamilton County Clerk of Courts as a “public office” to comply with the Public Records Act.

45. PAVAN PARIKH is a “person responsible” for the requested records because, at the time *Public Records Request #1* and *Public Records Request #2* were tendered, he had physical possession of the public records sought.

46. PAVAN PARIKH is a “person responsible” for the requested records because, at the time *Public Records Request #1* and *Public Records Request #2* were tendered, he controlled the public’s right to access the public records sought.

47. PAVAN PARIKH is a “person responsible” for the requested records because, at the time *Public Records Request #1* and *Public Records Request #2* were tendered, he had a statutory duty to “file and safely keep all journals, records, books, and papers belonging or appertaining to the [municipal] court.” R.C 1901.31(E).

48. Pursuant to the Public Records Act, PAVAN PARIKH has the clear legal duty to allow the prompt inspection of the public records sought in *Public Records Request #1*. See R.C. 149.43(B)(1)(“[u]pon request by any person ..., all public records responsive to the request shall be promptly prepared and made available for inspection to the requester at all reasonable times during regular business hours”).

49. Pursuant to the Public Records Act, PAVAN PARIKH has the clear legal duty to provide copies of the public records sought in *Public Records Request #2* within a reasonable period of time. See R.C. 149.43(B)(1)(“upon request by any person, a public office or person responsible for public records shall make copies of the requested public record available to the requester ... within a reasonable period of time.”).

50. Pursuant to the Public Records Act, PAVAN PARIKH has the clear legal duty, in denying *Public Records Request #1* and *Public Records Request #2*, to provide an explanation, including legal authority, setting forth why the request was denied. See R.C. 149.43(B)(3) (“[i]f a request is ultimately denied, in part or in whole, the public office or the person responsible for the requested public record shall provide the requester with an explanation, including legal authority, setting forth why the request was denied”).

51. Pursuant to the Public Records Act, PAVAN PARIKH has the clear legal duty, in denying *Public Records Request #1* and *Public Records Request #2*, to provide the explanation for the denial in writing as both *Public Records Request #1* and *Public Records Request #2* were tendered in writing.

52. PAVAN PARIKH breached his clear legal duty to allow the prompt inspection of the public records sought in *Public Records Request #1*.

53. PAVAN PARIKH breached his clear legal duty to provide copies of the public records sought in *Public Records Request #2* within a reasonable period of time.

54. PAVAN PARIKH breached his clear legal duty to provide an explanation, including legal authority, setting forth why *Public Records Request #1* and *Public Records Request #2* were denied.

55. PAVAN PARIKH breached his clear legal duty to provide in writing the explanation as to why *Public Records Request #1* and *Public Records Request #2* were denied.

56. EUGENE UTZ has the clear legal right to the inspection, through his designee, of the public records sought in *Public Records Request #1*.

57. EUGENE UTZ has the clear legal right to copies of the public records sought in *Public Records Request #2*.

58. EUGENE UTZ has the clear legal right to have an explanation provided in writing as to why *Public Records Request #1* and *Public Records Request #2* were denied.

59. EUGENE UTZ has no adequate remedy in the ordinary course of law to obtain the inspection and/or copies of the public records sought in *Public Records Request #1* and *Public Records Request #2*, respectively, and the Public Records Act specifically provides for the issuance of a writ of mandamus to compel a public office or the person responsible for requested public records to comply with the legal obligations imposed by the Public Records Act.

60. EUGENE UTZ has no adequate remedy in the ordinary course of law to obtain an explanation provided in writing as to why *Public Records Request #1* and *Public Records Request #2* were denied, and the Public Records Act specifically provides for the issuance of a writ of mandamus to compel a public office or the person responsible for requested public records to comply with the legal obligations imposed by the Public Records Act.

61. The issuance of a writ of mandamus will serve the public interest and provide a public benefit by encouraging and promoting compliance in the future by public offices and public officials with the terms of the Public Records Act, as well as ensuring such public offices and officials operate in conformity with precedential decisions of this Court. *See State ex rel. Cincinnati Enquirer v. Winkler*, 101 Ohio St. 3d 382, 805 N.E.2d 1094, 2004-Ohio-1581 ¶11 (“the public [has] a right of access to any court record” and such right “is unrestricted until a decision is made to seal records”); *see also State ex rel. Rasul-Bey v. Onunwor*, 94 Ohio St.3d 119,122, 760 N.E.2d 421, 2002-Ohio-67; *State ex rel. Kim v. Wachenschwanz*, 93 Ohio St.3d 586, 589, 757 N.E.2d 367, 2001-Ohio-1616.

62. The issuance of a writ of mandamus will serve the public interest and provide a public benefit by exposing the ratification of a Star Chamber by PAVAN PARIKH even though,

as noted above, “the public is a party to all criminal proceedings,” *State ex rel. Repository v. Unger*, 28 Ohio St. 3d 418, 421, 504 N.E.2d 37 (1986), and “the public [has] a right of access to any court record before, during, and for a period of time after the criminal trial” and such right “is unrestricted until a decision is made to seal records,” *State ex rel. Cincinnati Enquirer v. Winkler*, 101 Ohio St. 3d 382, 805 N.E.2d 1094, 2004-Ohio-1581 ¶11.

63. In engaging in the foregoing conduct, PAVAN PARIKH has engaged in bad faith by, *inter alia*, deliberating violating the duties and responsibilities of his office so as to avoid from public scrutiny an on-going criminal trial which has served as an national and international embarrassment to the leadership of the City of Cincinnati with whom he is politically aligned.

\* \* \* \* \*

64. In engaging in the foregoing actions or omissions concerning *Public Records Request #1* and *Public Records Request #2*, as well as denying the specific request to inspect or copy the motion to seal, PAVAN PARIKH as the Hamilton County Clerk of Courts has also violated his duties under the Ohio Rules of Superintendence.

65. The claims herein under the Ohio Rules of Superintendence are tendered only in the alternative if the determination is made that the records sought by *Public Records Request #1* and *Public Records Request #2* are not subject to the Public Records Act. This is so because, in seeking to regulate court records through the Rules of Superintendence and not to subject them to the Public Records Act, the Ohio Supreme Court has exceeded its constitutional authority by engaging in judicial legislation of that effectively amends the Public Records Act.

66. “[T]his court lacks the constitutional authority to issue rules that preempt substantive law such as the Public Records Act, R.C. 149.43,” *State ex rel. Ware v. Parikh*, 172 Ohio St. 3d 515, 225 N.E.3d 911, 2023-Ohio-759 ¶19 (Kennedy, C.J., concurring in judgment

only in part and dissenting in part), and therefore, “the Public Records Act, not the court-issued Rules of Superintendence, governs access to public records.” *State ex rel. Curtis v. Turner*, 176 Ohio St. 3d 66, \_\_\_ N.E.3d \_\_\_, 2024-Ohio-2682 ¶28 (Kennedy, C.J., joined by DeWine and Deters, JJ., concurring in part and concurring in judgment only in part).

67. By statutory definition as adopted by the General Assembly in enacting the Public Records Act:

- a. “public record” means “records kept by any public office.” R.C. 149.43(A)(1);
- b. “public office” includes “any state agency.” R.C. 149.011(A); and
- c. “state agency” includes “every department, bureau, board, commission, office, or other organized body established by the constitution and laws of this state for the exercise of any function of state government, *including...any court or judicial agency.*” R.C. 149.011(B)(emphasis added).

68. Thus, pursuant to the clear and unambiguous language of the Open Meetings Act as adopted by the General Assembly, records kept by any court (or the clerk of the court) are within the clear and unambiguous statutory definition of “public records” and, thus, court records are expressly subject to the Public Records Act.

69. Thus, historically, the Ohio Supreme Court has recognized that “[c]ourt records are generally public records subject to disclosure under the Public Records Act.” *State ex rel. Striker v. Smith*, 129 Ohio St. 3d 168, 950 N.E.2d 952, 2011-Ohio-2878 ¶21.

70. In fact, the Ohio Supreme Court has expressly refused to afford “a status to judicial records different from the status of nonjudicial records.” *State ex rel. Highlander v. Rudduck*, 103 Ohio St. 3d 370, 816 N.E.2d 213, 2004-Ohio-4952 ¶19.

71. However, through amendment to the Ohio Rules of Superintendence, the Ohio Supreme Court has decreed that Sup. R. 44 to 47 “deal specifically with the procedures regulating public access to court records and are the sole vehicle for obtaining such records in actions commenced after July 1, 2009.” *State ex rel. Vill. of Richfield v. Laria*, 138 Ohio St. 3d 168, 4 N.E.3d 1040, 2014-Ohio-243 ¶8.

72. However, as a matter of state constitutional law, “[t]he Rules of Superintendence of the Supreme Court are purely internal housekeeping rules which do not have a force equivalent to a statute.” *Krupansky v. Pascual*, 27 Ohio App. 3d 90, 499 N.E.2d 899 (9th Dist. 1985); see *State v. Smith*, 47 Ohio App. 2d 317, 354 N.E.2d 699 (8th Dist. 1976)(Krenzler, J., concurring) (“[a]s a matter of law, there can be no conflict between a Rule of Superintendence and a statute...because the statute is the law and the rule is not the law”).

73. “Section 5, Article IV of the Ohio Constitution, provides the Ohio Supreme Court with rule-making power.” *State v. Smith*, 47 Ohio App. 2d 317, 354 N.E.2d 699 (8th Dist. 1976).

74. Pursuant to Section 5(A), Article IV of the Ohio Constitution, the Ohio Supreme Court has the constitutional power of “general superintendence over all courts in the state” to be “exercised by the chief justice in accordance with rules promulgated by the Supreme Court.”

75. Pursuant to Section 5(B), Article IV of the Ohio Constitution, the Ohio Supreme Court has the constitutional power to “prescribe rules governing practice and procedure in all courts of the state.”

76. “The authority of the Ohio Supreme Court to prescribe rules governing practice and procedure in all courts of this state is set out in Section 5(B), Article IV, of the Ohio Constitution, which provides that such rules must be submitted to the General Assembly for

approval. If so approved, all laws in conflict with such rules shall have no further force or effect.” *State v. Lacy*, 46 Ohio App. 2d 215, 217, 348 N.E.2d 381 (7th Dist. 1975).

77. However, “the language contained in Section 5(B), Article IV of the Ohio Constitution, which provides that ‘[a]ll laws in conflict with such rules shall be of no further force or effect after such rules have taken effect,’ applies only to rules of practice and procedure proposed by the Supreme Court of Ohio and approved by the General Assembly.” *State ex rel. Krakowski v. Stokes*, 16 Ohio App. 3d 62, 65, 474 N.E.2d 695 (8th Dist. 1984)(quoting *State v. Smith*, 47 Ohio App. 2d 317, 354 N.E.2d 699 (8th Dist. 1976)). “Section 5(A)(1) ... does not have such a provision.” *Id.*

78. Additionally, unlike rules governing practice and procedure, the Rules of Superintendence are not submitted to the General Assembly for approval.

79. Thus, “it is well settled that the ‘Rules of Superintendence “do not have the same force as a statute or case law, but are rather purely internal housekeeping rules which do not create substantive rights in individuals or procedural law.”” *State ex rel. Parikh v. Berkowitz*, 255 N.E.3d 693, 2024-Ohio-4686 ¶47 (1st Dist.)(quoting *Hunter-June v. Pitts*, 2014-Ohio-2473 ¶19 (12th Dist.)(quoting *Elson v. Plokhooy*, 2011-Ohio-3009 ¶40 (3d Dist.))), *aff’d* 179 Ohio St. 3d 51, 263 N.E.3d 305, 2025-Ohio-2117.

80. Because the Rules of Superintendence do not have the same force as a statute, the Public Records Act, as law enacted by the General Assembly, controls access to all public records as defined by the Act which includes court records maintained by a clerk of court, as well as all remedies provided for thereunder.

81. Nonetheless, should the Court concluded that, notwithstanding the foregoing well-established principles, the Rules of Superintendence supersede a substantive law enacted by the

General Assembly, *i.e.*, the Public Records Act, PAVAN PARIKH had the clear legal duty to allow for the inspection and to provide copies of the “court records” sought by *Public Records Request #1* and *Public Records Request #2*, respectively.

82. The records sought *Public Records Request #1* and *Public Records Request #2* constitute “court records” as defined by Sup. R. 44(B), “case documents” as defined by Sup. R. 44(C)(1), and a “case file” as defined by Sup. R. 44(D).

83. Through *Public Records Request #1* and *Public Records Request #2*, EUGENE UTZ sought “direct access” as defined in Sup. R. 44(J) to court records.

84. Pursuant to Sup. R. 45(B)(1), PAVAN PARIKH had the clear legal duty to provide direct access to the court records requested in *Public Records Request #1* and *Public Records Request #2*

85. PAVAN PARIKH breached his clear legal duty to provide direct access to the court records requested in *Public Records Request #1* and *Public Records Request #2*.

86. EUGENE UTZ has the clear legal right to the inspection, through his designee, of the court records sought in *Public Records Request #1*.

87. EUGENE UTZ has the clear legal right to copies of the court records sought in *Public Records Request #2*.

88. EUGENE UTZ is aggrieved by the breach of PAVAN PARIKH of his clear legal duty to provide direct access to the court records requested in *Public Records Request #1* and *Public Records Request #2*.

89. EUGENE UTZ has no adequate remedy in the ordinary course of law to obtain the inspection and/or copies of the court records sought in *Public Records Request #1* and *Public Records Request #2*, respectively, and, the Sup. R. 47(B) specifically provides for the issuance of

a writ of mandamus to compel a court or clerk of court to comply with the requirements of Sup. R. 44 through 47.

WHEREFORE, the STATE OF OHIO, by and through Relator EUGENE UTZ, and, in support of its claim, hereby applies and requests this Court to order the issuance of a peremptory writ of mandamus or, alternatively, an alternative writ of mandamus, compelling PAVAN PARIKH as Hamilton County Clerk of Courts to comply with his legal duties under the Public Records Act and/or the Rules of Superintendence set forth above, including, without limitation, to allow the prompt inspection and to provide copies of all public records or court records sought by and responsive to *Public Records Request #1* and *Public Records Request #2*; to provide legal authority for denying, in whole or in part, the *Public Records Request #1* and *Public Records Request #2*; to provide such legal authority in writing; and an award of statutory damages under the Public Records Act, attorney fees, and costs, together with any other relief to which it might be entitled, in law or in equity.

Respectfully submitted,

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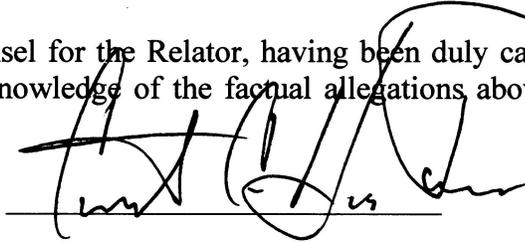
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**VERIFICATION**

State of Ohio, County of Hamilton ) ss:

Comes now, Curt C. Hartman, counsel for the Relator, having been duly cautioned and sworn, and declares that he has personal knowledge of the factual allegations above and such allegations are true and accurate.



Sworn to and subscribed before me, a Notary Public in and for the State of Ohio, on this the 4th day of September 2025.

*Amy Kilpatrick*  
Date: 9-4-25



Amy Kilpatrick  
Notary Public - State of Ohio  
My Commission Expires 9-4-27

**The Law Firm of Curt C. Hartman**

7394 Ridgepoint Drive, Suite 8

Cincinnati, Ohio 45230

(513) 379-2923

August 28, 2025

**Via Hand Delivery**

Hon. Pavan V. Parikh

Hamilton County Clerk of Courts

1000 Main Street

Cincinnati, Ohio 45202

**Re: Public Records Request**

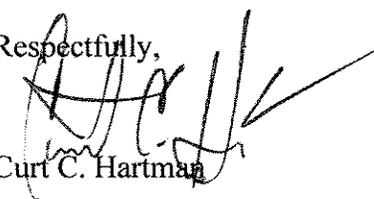
Mr. Parikh:

On behalf of a client and pursuant to the Public Records Act (and to the extent applicable and constitutional, the Rules of Superintendence), I request the *prompt inspection* of the following public records:

- all filings or entries in Case No. 25-CRB-14476 in the Hamilton County Municipal Court.

In tendering this letter, I am presenting myself in person at your offices to conduct said inspection.

Respectfully,



Curt C. Hartman

Received Clerk of Court  
8/28/2025 @ 2:09 pm  


**Exhibit A**

*Public Records Request #1*

**The Law Firm of Curt C. Hartman**

7394 Ridgepoint Drive, Suite 8

Cincinnati, Ohio 45230

(513) 379-2923

August 28, 2025

**Via Hand Delivery**

Hon. Pavan V. Parikh

Hamilton County Clerk of Courts

1000 Main Street

Cincinnati, Ohio 45202

**Re: Public Records Request**

Mr. Parikh:

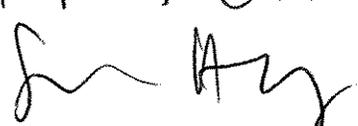
On behalf of a client and pursuant to the Public Records Act (and to the extent applicable and constitutional, the Rules of Superintendence), I request copies of the following public records:

- all filings or entries in Case No. 25-CRB-14476 in the Hamilton County Municipal Court.

Pursuant to the Public Records Act, I request that copies be provided in a pdf format and transmitted to my email at [hartmanlawfirm@fuse.net](mailto:hartmanlawfirm@fuse.net).

Respectfully,

  
Curt C. Hartman

Received Clerk of Court  
8/28/2025 @ 2:09 pm  


**Exhibit B**

Public Records Request #2