

IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO
CIVIL DIVISION

JACK JONES,

Plaintiff,

-vs-

OHIO DEPARTMENT OF JOB AND FAMILY
SERVICES et al,

Defendant.

CASE NO.: 2017 CV 02183

JUDGE STEVEN K. DANKOF

**ORDER GRANTING DEFENDANT'S
MOTION TO DISMISS**

This matter comes before the Court on Defendant/Appellee Ohio Department of Job and Family Services' June 5, 2017 Motion to Dismiss, to which Plaintiff did not respond. Defendant rightly highlights that the Notice of Appeal was filed by Chad Diggs, who is not an attorney, on behalf of a limited liability company. Ohio law is clear that individuals who are not licensed attorneys may not engage in the practice of law, much less represent a corporate entity¹ and that corporations cannot maintain litigation *in propria persona*.² Thus the Notice of Appeal is a nullity. Because the time to perfect the appeal here has lapsed per R.C. 4141.282(A), the Motion is **GRANTED** and the instant appeal is hereby *dismissed*.

SO ORDERED:

JUDGE STEVEN K. DANKOF

This document is electronically filed by using the Clerk of Courts e-Filing system. The system will post a record of the filing to the e-Filing account "Notifications" tab of the following case participants:

ROBIN A JARVIS
(513) 852-3497
Attorney for Defendant/Appellee, Ohio Department of Job and Family Services

Copies of this document were sent to all parties listed below by ordinary mail:

¹ *Dayton Supply & Tool Co. v. Montgomery County Bd. of Revision*, 111 Ohio St.3d 367, 2006-Ohio-5852, 856 N.E.2d 926, at ¶2.
² *Union Sav. Ass'n v. Home Owners Aid*, 23 Ohio St. 2d 60, 262 N.E.2d 558 (1970).

JACK JONES
230 E 1ST ST
DAYTON, OH 45402
Plaintiff/Appellee

DAYTON COLD STORAGE LLC
20 EAKER ST
DAYTON, OH 45402
Defendant/Appellant

Elizabeth Hall, Bailiff (937) 225-4409 Elizabeth.Hall@montcourt.oh.go



General Division
Montgomery County Common Pleas Court
41 N. Perry Street, Dayton, Ohio 45422

Type: Order:
Case Number: 2017 CV 02183
Case Title: JACK JONES vs OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

So Ordered

A handwritten signature in black ink, appearing to read "Steven I. Dankof". The signature is stylized with a large, looping flourish at the end.