## RECOMMEN PLEAS COURT IN THE COURT OF COMMON PLEAS

PROBATE DIVISION 2014 OCT 16 PM 12: 34 GEAUGA COUNTY, OHIO

IN RE:	)	CASE NO. 13092	PACE ARE-JUVENILE DIVISION GEAUGA COUNTY, OHIO	
GEAUGA COUNTY PARK DISTRICT	j	JUDGE TIMOTHY J. GRENDELL ADMINISTRATIVE ORDER		
	)			
	)	2014-22		

The Court has issued a Judgment Entry directing certain payments from the Court's discretionary funds pursuant to R.C. 2303.201 (E)(1).

Under Ohio law, these court ordered payments are not subject to review and approval by the County Commissioners. See R.C. 2303.201(E)(1); See also OAG Opinion 2009-001.

Under Ohio law, the County Auditor must process, without delay, these court ordered payments, which are to be made from the Court's discretionary funds, not county general tax revenue dollars.

The Court has been informed that the County Auditor has forwarded these Court ordered payments to the County Commissioners for review and approval. Such action by the County Auditor is contrary to Ohio law and a violation of this Court's statutory authority and separate judicial powers under the Ohio Constitution.

Therefore, the County Auditor is ordered and directed to retrieve the payment Judgment Entries for Probate Court Case No. 13092 from the County Commissioner's Office and process the payments ordered therein immediately.

If this action is not taken by 3:00 p.m. on Friday, October 17, 2014, the Court will conduct a Show Cause Hearing at 4:00 p.m. on October 17, 2014 to address the County Auditor's noncompliance and interference with the orders of this Court and violation of Ohio law. A Show Cause notice will be issued to the County Auditor for said purpose.

A failure to comply with the orders of this Court will result in sanctions as provided by law.

IT IS SO ORDERED.

Frank Gliha, County Auditor

James Flaiz, Prosecutor

TIMOTHY J. CREADELL Judgehat the foregoing is a

TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN THIS OFFICE, EXCEPT FOR THE REDACTION OF SOCIAL SECURITY NUMBERS, IF ANY, ENTERED O 16 14 WITNESS MY HAND AND SEAL OF SAID COURT THIS 6 TOOLSEY, 20 4 Timothy J. DAY OF

Timothy J. Grendell JUDGE & EX-OFFICIO CLERK

BY Kuway DEPUTY CLERK.

## IN THE COURT OF COMMON PLEAS PROBATE DIVISION GEAUGA COUNTY, OHIO

IN THE MATTER OF:	)	CASE NO.: 13092		
THE GEAUGA PARK DISTRICT	)			
*	j	JUDGE TIMOTHY J. GRENDELL		
	.)	SUMMONS AND ORDER		

To: County Auditor

Frank Gliha

YOU ARE HEREBY SUMMONED AND ORDERED to appear in the Geauga County Probate Courtroom on October 17, 2014 at 4:00 p.m. to show cause why you should not be held in Contempt of Court for failure to comply with and process the Court's payment orders in Probate Court Case No. 13092 and for interfering with the Court's statutory authority pursuant to R.C. 2303.201(E)(1) and the Court's judicial authority under the Ohio Constitution.

You are notified that a failure to appear may result in the issuance of a warrant of arrest.

You have the right to counsel.

Contempt of Court is subject to sanctions as provided by Ohio law.

TIMOTHY J. GRENDELL, Judge

## INSTRUCTIONS TO THE CLERK

This summons and order shall be served pursuant to Ohio Civil Rules 4-4.6. cc: Frank Gliha, County Auditor