

FILED

MAY 31 1988

IN THE MUNICIPAL COURT OF
JACKSON COUNTY, OHIO

JACKSON COUNTY MUNICIPAL COURT
PATRICIA TEDROW, CLERK

ODICE PORTER, as agent for)
 Dahlia Belcher,)
)
 Plaintiff,)
)
 -vs-)
)
 TIMOTHY GIBBS and)
 KAREN GIBBS,)
)
 Defendants.)

Case No. 88-CVG-205
 Judge ESPOSITO
ENTRY

This matter was heard on May 26, 1988 on the Complaint in Forcible Entry and Detainer filed by Odice Porter as agent for Dahlia Belcher. Counsel for Defendants moved to stike the Complaint or, in the alternative, to dismiss the Complaitn because it was filed by a party who was not an attorney in the name of the property owner. The Notice to Leave the Premises and Complaint were both signed by Odice Porter as agent for Dahlia Belcher, yet Odice Porter is neither the property owner nor an attorney.

Ohio Revised Code 4705.01 prohibits any person not an attorney from commencing any action on behalf of another. This prohibition was upheld by the Ohio Supreme Court in Union Savings Association v. Home Owners Aid, Inc., 23 Ohio St. 2d 60 (1976).

Therefore, upon consideration of O.R.C. 4705.01 and the relevant caselaw,

IT IS ORDERED, ADJUDGED and DECREED that this case be dismissed without prejudice, costs to the Plaintiff.

Michael A. Gentry

July 31, 1955

Dated

Judge

Approved:

SOUTHEASTERN OHIO LEGAL SERVICES

James T. Buchanan
JAMES BUCHANAN,
Attorney for Defendants

cc: Odice Porter