

PORTSMOUTH MUNICIPAL COURT  
PORTSMOUTH, OHIO

FILED  
91 JUN 14 AM 8:50  
SUPERIOR COURT CLERK  
PORTSMOUTH MUNICIPAL COURT  
PORTSMOUTH, OHIO

PGS RENTALS, INC.

Plaintiff

Case No. CVG91-0528

-vs-

BEVERLY HILEMAN, et al.

JUDGMENT ENTRY

Defendants


This cause came on for hearing before the Referee, Mr. David W. Kuhn, on the 31st day of May, 1991. And further, upon the motion to dismiss filed by counsel for defendants herein. The Court having reviewed all pleadings and the partial finding of facts requested from the Referee finds that plaintiff herein is, in fact, a corporation, that the petition seeking eviction was filed by Phillip G. Stevens, it's president. Defendants move for dismissal of the complaint based on the prohibition contained in Ohio Revised Code 4705.01 and further, based upon the holding in Union Savings Association v. Homeowners Aid, Inc. 23 Ohio St. 2d, 60 (1976).

The Ohio Supreme Court in the case of Union Savings Association v. Homeowners Aid, Inc. held that a corporation cannot appear in court except by and through an attorney at law.

Since plaintiff herein is a corporation and was represented by it's president, who is not an attorney

licensed to practice law in Ohio, it is hereby ORDERED  
that the complaint be dismissed without prejudice.

Costs to plaintiff.

  
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Judge David E. Spears

cc: PGS Rentals, Inc.

Robert Romaker  
Attorney for Defendant