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PUBLIC RECORDS - OHIO

State ex rel. Grim v. New Holland

Supreme Court of Ohio - October 9, 2024 - N.E.3d - 2024 WL 4446174 - 2024-Ohio-4822

Public records requester, proceeding pro se, brought action against village, seeking writ of mandamus ordering village to allow requester to inspect and copy certain public records, as well as statutory damages and court costs.

After mediation proceedings, village filed answer. Supreme Court granted alternative writ.

The Supreme Court held that:

- Requester's mandamus claim was moot;
- Requester did not waive claim for statutory damages;
- Requester was not entitled to statutory damages in connection with 22 purported requests for records made verbally;
- Purported request asking how the village handled its filings constituted request for information, not request for records, for purposes of calculating statutory damages under Public Records Act;
- Statutory damages were available for six requests for records submitted via email; but
- Requester failed to show by clear and convincing evidence dates on which he received public records he requested for which statutory damages were available, for purposes of calculating amount of damages; and
- Requester was not entitled to court costs.

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