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State ex rel. Ames v. Concord Township Board of Trustees

Supreme Court of Ohio - March 27, 2025 - N.E.3d - 2025 WL 920126 - 2025-Ohio-1027

Public records requester filed a petition for a writ of mandamus that sought to compel township board of trustees to comply with records request, and an award of statutory damages, court costs, and attorney fees.

The Eleventh District Court of Appeals granted board of trustees summary judgment and dismissed mandamus petition. Records requester appealed.

The Supreme Court held that:

- Ohio law permitted the court of appeals to convert board of trustees' motion to dismiss for failure to state a claim upon which relief can be granted to a summary-judgment motion;
- The facts alleged in petition for a writ of mandamus were not deemed admitted by trustees' failure to file an answer to petition;
- Requester's mandamus claim against trustees was rendered moot;
- Court of appeals did not announce a rule of law that required a records requester to follow up about a request if the requester believed that the response was incomplete; and
- Modification of court of appeals judgment dismissing records requester's mandamus petition to instead enter judgment denying the petition as moot was warranted.

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