

FILED  
WOOD COUNTY CLERK  
COMMON PLEAS COURT  
2019 APR -5 P 3:10  
CINDY A. HOFNER

FILED  
WOOD COUNTY, OHIO  
2019 APR -5 PM 3:12  
SIXTH DISTRICT  
COURT OF APPEALS  
CINDY A. HOFNER, CLERK

IN THE COMMON PLEAS COURT OF WOOD COUNTY, OHIO  
DOMESTIC RELATIONS DIVISION

MARGARET A. FITZGERALD  
13569 Otusso Dr.  
Perrysburg, Ohio 43551  
DOB: 1/10/63

Plaintiff

vs.

SEAN P. FITZGERALD  
PO Box 1277  
Perrysburg, Ohio 43552  
DOB: 12/14/60

Defendant.

) Trial Court Case No. 2017DR0012

) JUDGE YARBROUGH

2019 WD 0027

) NOTICE OF APPEAL

) SEAN P. FITZGERALD (0084525)

) PO Box 1277

) Perrysburg, Ohio 43552


) Phone: 734-516-9217

) Email: [seanfitz2004@yahoo.com](mailto:seanfitz2004@yahoo.com)

) Defendant Attorney pro se

NOTICE OF APPEAL

SEAN P. FITZGERALD, hereby appeals to the Ohio Sixth District Court of Appeals from two decisions of the Wood County Court of Common Pleas Domestic Relations Division journalized on April 4, 2018. A copy of the decisions are attached.

/s/   
SEAN P. FITZGERALD (0084525)  
118 Williams St.  
Bowling Green, OH 43402  
Phone: 734-516-9217  
Email: [seanfitz2004@yahoo.com](mailto:seanfitz2004@yahoo.com)  
Defendant Attorney pro se

Date: April 5, 2019

Thursday, April 04, 2019 3:11:25 PM

2017DR0012 - Alan R Mayberry

CINDY A. HOFNER  
CLERK OF COURTS WOOD COUNTY OHIO

## COURT OF COMMON PLEAS, WOOD COUNTY OHIO

Case Number: 2017DR0012

Judge: Stephen A Yarbrough

Margaret A Fitzgerald  
13569 Otusso Dr  
Perrysburg OH 43551

D.O.B.: 01/10/1963 Plaintiff

### DECISION AND JOURNAL ENTRY

vs.

Sean P Fitzgerald  
PO Box 1277  
Perrysburg OH 43552

D.O.B.: 12/14/1960 Defendant

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On March 14, 2018 the above-captioned case was scheduled for hearing on Attorney Mohler's motion on behalf on the minor child Ian FitzGerald. That motion was resolved by the parties in open court and on the record.

Attorney Mohler also had a motion pending for fees.

On March 11, 2019 the Defendant, Sean FitzGerald, notified the Court as part of his objections to Mr. Mohler's fee request, that he had filed a grievance against Mr. Mohler. Mr. FitzGerald asked for a decision on his objections to the fee request. Based on a review of the pleadings, the testimony and the law, Mr. FitzGerald's objections are found not well taken and denied. Mr. Mohler's motion for fees is granted.

At the outset of these proceedings in an effort to set the standard of conduct the Court expects, the lawyer's oath was read in open court to all the parties and counsel.

Mr. FitzGerald has not followed that standard. Even at the last hearing, Ms. Cox was again complaining about his conduct. By his pleadings, e-mails and exhibits, Mr. FitzGerald has, at the least, been unprofessional toward the magistrate, Ms. Heringhaus, his former lawyer, Ms. Shope, the Guardian ad Litem, Ms. Cox and his opposing counsel, Ms. Engwert-Loyd. During the last telephone pretrial Mr. FitzGerald attacked Ms. Engwert-Loyd twice.

Mr. FitzGerald has had discovery disputes with almost every lawyer in the case.

Mr. FitzGerald has repeatedly been advised to seek representation.

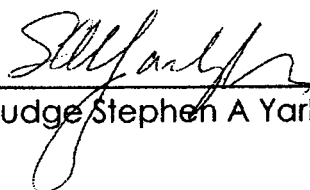
Having reviewed all the conduct, evidence, exhibits, e-mails and testimony of the case, and particularly Mr. FitzGerald's most recent pleading, the Court finds Mr. FitzGerald in direct contempt pursuant to R.C. 2705.01. He is sentenced to 30 days in the Wood County Justice Center. He is ordered to pay all attorney fees associated with the last hearing. He is ordered to pay a \$250 fine to the clerk of courts.

The Court finds that Mr. FitzGerald was untruthful. He claims to have filed a grievance against Mr. Mohler. That was not true, no grievance was filed. His pleading was an attempt to mislead the Court, obstruct justice and prejudice the administration of justice. Such a grievance, if true, would impede and eliminate Mr. Mohler from representing his client.

This situation is magnified by the fact that Mr. Mohler has practiced before courts across Ohio, including this one, with calming superior legal skills, cogent writing and impeccable integrity. If Mr. FitzGerald had a grievance, he is duty bound to file it. He did not do so.

Furthermore, his pleading violates Ohio Professional Conduct Rule 8.4 (c) and (d) and 3.3 and those matters are referred to disciplinary counsel.

Given the rule violated, Mr. FitzGerald's duty to the Court, his colleagues and the profession, the other aggravating circumstances, a 30-day jail sentence is appropriate.

  
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Judge Stephen A Yarbrough

Thursday, April 04, 2019 3:12:03 PM

2017DR0012 - Alan R Mayberry

CINDY A. HOFNER  
CLERK OF COURTS WOOD COUNTY OHIO

## COURT OF COMMON PLEAS, WOOD COUNTY OHIO

Case Number: 2017DR0012

Judge: Stephen A Yarbrough

Margaret A Fitzgerald  
13569 Otusso Dr  
Perrysburg OH 43551

D.O.B.: 01/10/1963 Plaintiff

### ORDER

vs.

Sean P Fitzgerald  
PO Box 1277  
Perrysburg OH 43552

D.O.B.: 12/14/1960 Defendant

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Defendant, Sean P. FitzGerald's sentence for contempt is ordered to commence on Monday, April 8, 2019 at 10:00 a.m.

Defendant is hereby ordered to report to the Wood County Justice Center at that time to commence his sentence.

*If he fails to appear a copias shall issue for  
his arrest.*

*SMY*

  
\_\_\_\_\_  
Judge Stephen A Yarbrough

Journalized 04/04/2019

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