



NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
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Cleveland, Ohio 44113

Court of Common Pleas

MOTION FOR...
October 2, 2023 12:48

By: KRISTIN L. WEDELL 0072500

Confirmation Nbr. 2979317

WILLIAM EASTON HORNER

CV 22 971495

vs.

Judge: DAVID T. MATIA

ALLISON MARIE STARK ET AL

Pages Filed: 2

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO**

WILLIAM EASTON HORNER	)	CASE NO. CV 22 971495
	)	
Plaintiff	)	JUDGE DAVID T. MATIA
	)	
v.	)	
	)	
ALLISON MARIE STARK, et al.	)	<u>DEFENDANT ALLISON MARIE</u>
	)	<u>STARK'S MOTION FOR JOINDER IN</u>
Defendants	)	<u>DEFENDANT ST. VINCENT CHARITY</u>
	)	<u>MEDICAL CENTER'S MOTION TO</u>
	)	<u>DISMISS AND REPLY BRIEF IN</u>
	)	<u>SUPPORT OF MOTION TO DISMISS</u>

Now comes Defendant Allison Marie Stark, by and through undersigned counsel, and hereby joins in the Motion to Dismiss and Reply in Support of Motion to Dismiss filed by Defendant St. Vincent Charity Medical Center. For the reasons set forth in the Motion to Dismiss and Reply Brief in Support of Motion to Dismiss, Plaintiff William Horner has been declared a vexatious litigator in Cuyahoga County Common Pleas Court Case No. CV 22 969917 and, therefore, this case should be dismissed for all of the reasons set forth in Defendant's Motion and Reply Brief in Support. As of the date of filing this Motion, Mr. Horner has not sought leave from Judge Brendan Sheehan, the only judge who can grant him leave to proceed in this case. Based upon the clear language of the statute, R.C. 2323.51, once a person is declared a vexatious litigator, he or she is absolutely prohibited from instituting or continuing any legal proceedings "without first obtaining leave from that court [*i.e.*, the court that issues the vexatious litigator order to proceed]." (emphasis added) (R.C. 2323.51(D)(1)). As of today's date, there is no indication that

Plaintiff has requested leave nor that he has been granted leave to proceed. As such, this instant case must be dismissed.

Respectfully submitted,

/s/ Kristin L. Wedell

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Allison Stark

CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2023, Defendant Allison Stark Motion for Joinder in Defendant St. Vincent Charity Medical Center's Motion to Dismiss and Reply Brief in Support of Motion to Dismiss was filed. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. Additionally, a copy of the Motion has been served upon Pro Se Plaintiff William E. Horner, via electronic transmission, at willamehorner@gmail.com.

/s/ Kristin L. Wedell

KRISTIN L. WEDELL (0072500)

Attorney for Defendant

Allison Stark