

whom the motion for summary judgment is made,
that party being entitled to have the
evidence or stipulation construed most
strongly in the party's favor. ***

See, also, *Williams v. First United Church of Christ* (1974), 37
Ohio St.2d 150; *Temple v. Wean United, Inc.* (1977), 50 Ohio St.2d
317.

Plaintiff alleges that defendants were "negligent in not
protecting or complying with the Ohio Revised Code, The
Constitution of the State of Ohio, as well as The Constitution of
the United State (*sic*) of America by passing and signing into law
section (5) of senate bill 269 amending senate bill II ***."
Defendants argue that this court is without subject matter
jurisdiction over plaintiff's constitutional claims and that they
are immune from liability under the doctrine of discretionary
immunity.

Upon review, this court finds that it is without
jurisdiction to determine federal or state constitutional claims.
Graham v. Bd. of Bar Examiners (1994), 98 Ohio App.3d 620.
Additionally, the state cannot be sued for its legislative or
judicial functions or the exercise of a high degree of official
judgment or discretion. *Reynolds v. State* (1984), 14 Ohio St.3d
68.

For the foregoing reasons, defendants' motion for summary
judgment is GRANTED and judgment is rendered in favor of
defendants. Court costs are assessed against plaintiff. The
clerk shall serve upon all parties notice of this judgment and
its date of entry upon the journal.

Case No. 2000-10014

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ENTRY

JUDGE

Entry cc:

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Pro se

[Cite as *Robarge v. Supreme Court of Ohio*, 2001-Ohio-6987.]

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