



the evidence or stipulation, and only from the evidence or stipulation, that reasonable minds can come to but one conclusion and that conclusion is adverse to the party against 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.

Defendant argues that plaintiff has failed to state a claim upon which relief may be granted. More specifically, defendant maintains that this court lacks subject matter jurisdiction over plaintiff's claims, and that plaintiff has failed to state a valid cause of action under Ohio law. Plaintiff counters that this court does have jurisdiction over his claims; however, he failed to provide any legal basis for his assertions.

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. The court finds that defendant is entitled to judgment as a matter of law with regard to plaintiff's allegations concerning political subdivisions, R.C. 2744.01 *et seq.* Further, the court finds that there is no genuine issue of material fact and that defendant is entitled to judgment as a matter of law with regard to plaintiff's mental health related claims.

For the foregoing reasons, defendant's motion for summary judgment is GRANTED and judgment is rendered in favor of defendant. Court costs are assessed against plaintiff. The

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ENTRY

clerk shall serve upon all parties notice of this judgment and its date of entry upon the journal.

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FRED J. SHOEMAKER  
Judge

[Cite as *Parsons v. Ohio Dept. of Mental Health*, 2001-Ohio-6986.]

Entry cc:

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