

[THE STATE EX REL.] NORRIS, APPELLANT, v. GIAVASIS, CLERK, ET AL.,
APPELLEES.

[Cite as *State ex rel. Norris v. Giavasis*, 100 Ohio St.3d 371, 2003-Ohio-6609.]

Mandamus — Writ sought to compel common pleas court clerk to remove entries from the court’s appearance docket — Court of appeals’ dismissal of complaint affirmed.

(No. 2003-1478 — Submitted December 2, 2003 — Decided December 31, 2003.)

APPEAL from the Court of Appeals for Stark County, No. 2003CA00268.

Per Curiam.

{¶1} On July 24, 2003, appellant, Robert Lee Norris, an inmate, filed a complaint in the Court of Appeals for Stark County. Norris sought a writ of mandamus to compel appellees, Stark County Common Pleas Court Clerk Phil G. Giavasis and Deputy Clerk A. Gifford, to remove from their records “the July 11, 2003 Appearance Docket and each of its entries” and to retain “the certified ‘June 25, 2002’ Appearance Docket.” The docket entries were of his criminal case stemming from a 1992 indictment.

{¶2} Norris filed an affidavit that he claimed listed his prior “civil actions and criminal appeals within the preceding (5) five years pursuant to [R.C.] 2969.25.” The affidavit, however, did not contain a “brief description of the nature” of each civil action or appeal and the outcome of each civil action and appeal. R.C. 2969.25(A)(1) and (4). And although Norris requested a waiver of the filing fees assessed by the court of appeals based on his claimed indigency, his affidavit of indigency did not contain the statement required by R.C.

SUPREME COURT OF OHIO

2969.25(C)(1) setting forth the balance in his inmate account “for each of the preceding six months, as certified by the institutional cashier.”

{¶3} On August 1, 2003, the court of appeals sua sponte dismissed Norris’s complaint.

{¶4} We affirm the judgment of the court of appeals. “The requirements of R.C. 2969.25 are mandatory, and failure to comply with them subjects an inmate’s action to dismissal.” *State ex rel. White v. Bechtel*, 99 Ohio St.3d 11, 2003-Ohio-2262, 788 N.E.2d 634, ¶ 5. Norris failed to comply with R.C. 2969.25(A) and 2969.25(C)(1). *State ex rel. Kimbro v. Glavas*, 97 Ohio St.3d 197, 2002-Ohio-5808, 777 N.E.2d 257, ¶ 2; *White*, 99 Ohio St.3d 11, 2003-Ohio-2262, 788 N.E.2d 634, ¶ 2, 5.

Judgment affirmed.

MOYER, C.J., RESNICK, F.E. SWEENEY, PFEIFER, LUNDBERG STRATTON, O’CONNOR and O’DONNELL, JJ., concur.

Robert Lee Norris, pro se.
