

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State ex rel. Watley v. Pfeiffer*, Slip Opinion No. 2009-Ohio-5587.]

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SLIP OPINION NO. 2009-OHIO-5587

THE STATE EX REL. WATLEY, APPELLANT, v. PFEIFFER, JUDGE, APPELLEE.

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Slip Opinion No. 2009-Ohio-5587.]

Mandamus — Vexatious litigator — R.C. 2323.52 — Failure to seek leave to file action requires dismissal — Judgment affirmed.

(No. 2009-0965 — Submitted October 20, 2009 — Decided October 28, 2009.)

APPEAL from the Court of Appeals for Franklin County, No. 09AP-328.

Per Curiam.

{¶ 1} We affirm the judgment of the court of appeals dismissing the petition of appellant, Rayshon Watley, for a writ of mandamus to compel appellee, Franklin County Common Pleas Court Judge Beverly Pfeiffer, to file an action Watley describes as a “1983 civil action.” Watley, who has been declared to be a vexatious litigator, did not seek leave of the court of appeals to proceed with filing his mandamus action, and the court of appeals was thus required to

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dismiss the action. R.C. 2323.52(F)(2) and (I); *State ex rel. Sapp v. Franklin Cty. Court of Appeals*, 118 Ohio St.3d 368, 2008-Ohio-2637, 889 N.E.2d 500, ¶ 19-20.

Judgment affirmed.

MOYER, C.J., and PFEIFER, LUNDBERG STRATTON, O'CONNOR, O'DONNELL, LANZINGER, and CUPP, JJ., concur.

Rayshon Watley, pro se.

Ron O'Brien, Franklin County Prosecuting Attorney, and Patrick J. Piccininni, Assistant Prosecuting Attorney, for appellee.
