

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Hillman v. Brown*, Slip Opinion No. 2012-Ohio-1652.]

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SLIP OPINION NO. 2012-OHIO-1652

HILLMAN, APPELLANT, v. BROWN, JUDGE, APPELLEE.

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Appeals—Courts of appeals—Jurisdiction—Complaint seeking show-cause order filed in court of appeals separately from appeal of case from which allegation of contempt arose invokes neither original nor appellate jurisdiction of court—Court of appeals properly dismissed complaint.

(No. 2011-1790—Submitted April 4, 2012—Decided April 17, 2012.)

APPEAL from the Court of Appeals for Franklin County, No. 11AP-22.

Per Curiam.

{¶ 1} We affirm the judgment of the court of appeals dismissing the complaint filed by appellant, Robert L. Hillman, for a show-cause contempt order against appellee, Judge Susan Brown of the Tenth District Court of Appeals, based on a judgment she entered in consolidated appeals involving Hillman. *Hillman v. Brown*, 10th Dist. No. 11AP-22 (Sept. 29, 2011).

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{¶ 2} As constitutionally created courts, courts of appeals have inherent power to punish contempt. *See State ex rel. Johnson v. Perry Cty. Court*, 25 Ohio St.3d 53, 54, 495 N.E.2d 16 (1986), quoting *State ex rel. Turner v. Albin*, 118 Ohio St. 527, 161 N.E.2d 792 (1928), paragraph one of the syllabus. But Hillman did not file his contempt motion in the pertinent appeals before the court of appeals; instead, he sought to invoke the original jurisdiction of the court of appeals with a complaint for a show-cause contempt order in a separate, new case.

{¶ 3} Hillman's complaint thus invoked neither the original nor the appellate jurisdiction of the court of appeals under the Ohio Constitution, Article IV, Section 3(B), and was properly dismissed. *See Brock v. Niemeyer*, 130 Ohio St.3d 80, 2011-Ohio-4704, 955 N.E.2d 981, ¶ 1.

Judgment affirmed.

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

Robert L. Hillman, pro se.

Michael DeWine, Attorney General, and Eric Butcher-Lyden and Damian W. Sikora, Assistant Attorneys General, for appellee.
