

KNOX COUNTY COURT OF COMMON PLEAS, MOUNT VERNON, OHIO 43050

IN THE COURT OF COMMON PLEAS
KNOX COUNTY, OHIO

FILED
KNOX COUNTY
COURT OF COMMON PLEAS
2009 JUL -7 PM 1:21
MARY JO HAWKINS
CLERK OF COURTS

JOHN FRESHWATER	:	
	:	
PETITIONER,	:	
	:	Case No. 09OT06-0312
-vs-	:	
	:	Judge Otho Eyster
MOUNT VERNON CITY SCHOOL DISTRICT	:	
BOARD OF EDUCATION	:	
	:	ORDER
RESPONDENT.	:	

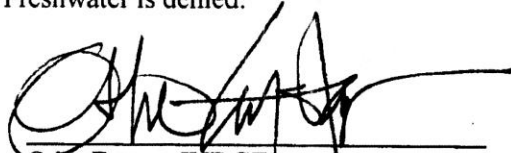
This matter came before the Court on Petitioner’s Application To Compel Attendance Of Witnesses In The Employment Hearing Of John Freshwater and the Court having considered the memorandums submitted and the applicable law finds;

O.R.C. §3319.16, the statute upon which Petitioner bases his application provides “[i]n the case of the failure of any person to comply with a subpoena, a judge of the court of common pleas of the county in which the person resides, upon application of a interested party, shall compel attendance of the person by attachment proceedings as for contempt.” The statute clearly limits the common pleas court’s jurisdiction to compelling attendance at a hearing when a person fails to comply with a subpoena. In this case, the Board has quashed the subpoenas effectively divesting this Court of jurisdiction in the matter, and it is

ORDERED Petitioner's Application To Compel Attendance Of Witnesses In

The Employment Hearing Of John Freshwater is denied.

IT IS SO ORDERED.


Otho Eyster, JUDGE

cc:
Brendon Kelley, Esq.
Kelly Hamilton, Esq.

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