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AMEND

OCT 7

09/26/2025

**IN THE COURT OF COMMON PLEAS**

LORAIN COUNTY, OHIO

**Michael Williams,**

Plaintiff,

v.

**Judge D. Chris Cook,**

**Magistrate Barbara A. Butler,**

**Jane Doe Clerk, Civil Division,**

Defendants.

Case No. \_\_\_\_\_

Judge: \_\_\_\_\_

FILED  
LORAIN COUNTY

2025 SEP 30 P 3:25

COURT OF COMMON PLEAS  
TOM ORLANDO

25CV218254

JUDGE DONNA FREEMAN

**COMPLAINT FOR DAMAGES, DECLARATORY RELIEF, AND INJUNCTION**

**I. PARTIES**

1. Plaintiff Michael Williams is a resident of Lorain County, Ohio, proceeding pro se.
2. Defendant Judge D. Chris Cook is a judge of the Lorain County Court of Common Pleas, sued in his individual and official capacity for acts outside the protection of judicial immunity.
3. Defendant Magistrate Barbara A. Butler is a magistrate of the Lorain County Court of Common Pleas, sued in her individual and official capacity for acts outside the protection of judicial immunity.
4. Defendant Jane Doe is a Clerk in the Civil Division of the Lorain County Court of Common Pleas, sued in her individual and official capacity for unlawful alteration of court records.

**II. JURISDICTION AND VENUE**

5. Jurisdiction is proper under the Ohio Constitution, Art. I §16, which guarantees that "every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law."

6. Venue is proper in Lorain County because the acts giving rise to this complaint occurred here.

### III. FACTUAL ALLEGATIONS

#### A. Retaliation and Refusal to Recuse

7. Plaintiff filed grievances and pleadings in Lorain County Court. In response, Defendants retaliated by dismissing filings, obstructing relief, and altering records.
8. Plaintiff asked Defendant Cook to recuse himself three times, and asked Defendant Butler to recuse herself three times. Both refused.
9. Their refusals gave Defendants repeated opportunities to cease misconduct, but they persisted, escalating Plaintiff's harm.

#### B. Docket Tampering and Court Shutdown

10. There were at least three separate instances of **docket tampering** in Plaintiff's cases, where filings were entered, altered, or removed without lawful authority.
11. These incidents triggered an official investigation into the Clerk's Office to determine which clerk made the entries and under whose instruction.
12. The situation was so grave that the **Lorain County Common Pleas Court shut down following a cyber incident**, during which investigators examined these irregularities.

#### C. Fraud Upon the Court – Default Judgment

13. Plaintiff lawfully obtained a default judgment.
14. Instead of enforcing it, Defendant Cook enlisted the Lorain County Prosecutor's Office to act as defense counsel for judicial officers accused of misconduct.
15. This was an intentional misuse of county resources and amounted to **fraud upon the court** — conduct that strikes at the integrity of the judicial process.

#### D. Misuse of Public Resources

16. The Prosecutor's Office exists to prosecute wrongdoing on behalf of the public, not to defend judges and magistrates in personal misconduct suits.
17. By using taxpayer-funded lawyers and hours to defend themselves, Defendants placed Plaintiff, a private litigant proceeding pro se, at a severe disadvantage, violating equal protection and due process.

#### E. Systemic Bias – Judge Swenski's Statement

18. On **August 29, 2025**, during a hearing between 11:30 a.m. and 1:00 p.m., **Senior Judicial Official Judge Lisa Swenski** stated on the record that she would "**taint every judge in-house and every visiting judge**" with respect to Plaintiff's matters.
19. This statement, captured in transcripts, proves systemic corruption and bias at the

highest level of the Lorain County judiciary.

20. Defendant Cook's persistent denial of relief is reasonably understood to have been influenced by directives from Judge Swenski.

#### **F. Abuse and Assault in Courtroom**

21. During the same August 29, 2025 hearing, Judge Swenski verbally abused Plaintiff on the record.

22. In her presence, a courtroom officer physically assaulted Plaintiff. Judge Swenski did nothing to stop it or provide redress.

23. This proves Lorain County courts are unsafe for Plaintiff and unfit to guarantee his rights.

#### **G. Denial of Venue Change**

24. Despite overwhelming evidence of bias, misconduct, and abuse, Defendant Cook denied Plaintiff's repeated motions for change of venue.

25. His refusal to recuse, refusal to grant venue change, and refusal to correct course perpetuated systemic misconduct, leaving Plaintiff no choice but to bring this action.

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### **IV. CLAIMS FOR RELIEF**

#### **Count I – Retaliation (First Amendment & Ohio Const. Art. I)**

26. Plaintiff engaged in protected conduct by filing grievances and legal pleadings.

27. Defendants retaliated by dismissing filings, obstructing relief, and altering records.

28. Such retaliation chills Plaintiff's constitutional right to petition the government. See *Thaddeus-X v. Blatter*, 175 F.3d 378 (6th Cir. 1999).

#### **Count II – Due Process Violations (U.S. Const. amend. XIV & Ohio Const.)**

29. Plaintiff has a right to a fair and impartial tribunal.

30. Defendants' refusal to recuse, docket tampering, misuse of prosecutors, and allowance of abuse deprived Plaintiff of due process.

31. The right to an impartial judge is fundamental. *Tumey v. Ohio*, 273 U.S. 510 (1927); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).

#### **Count III – Equal Protection (U.S. Const. amend. XIV)**

32. Plaintiff was intentionally treated differently from other litigants because he exercised constitutional rights.

33. This "class of one" discrimination lacks rational basis. *Village of Willowbrook v. Olech*, 528 U.S. 562 (2000).

**Count IV – Unlawful Alteration of Court Records**

34. The three instances of docket tampering, followed by investigation and shutdown, prove intentional misconduct.

35. Plaintiff was denied accurate records and fair process.

**Count V – Misuse of Public Resources / Abuse of Office**

36. Defendants misused taxpayer dollars by enlisting the Prosecutor's Office to defend personal misconduct.

37. This was ultra vires, contrary to law, and deprived Plaintiff of equal footing.

**Count VI – Fraud Upon the Court**

38. Defendants enlisted government attorneys to undermine Plaintiff's valid default judgment.

39. Fraud upon the court is recognized as an egregious violation that "strikes at the very integrity of the judicial process." *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944).

**Count VII – Improper Venue / Systemic Judicial Bias and Abuse**

40. Judge Swenski's statement promising to taint all judges, coupled with her abuse and allowance of assault, proves systemic corruption.

41. Defendant Cook's denial of venue change perpetuated this constitutional violation.

**V. ANTICIPATED DEFENSES AND WHY IMMUNITY DOES NOT APPLY**

42. **Eleventh Amendment Immunity** does not apply in state court. It restricts federal judicial power only. *Kollaritsch v. Mich. State Univ. Bd. of Trustees*, 944 F.3d 613 (6th Cir. 2019). Ohio's Constitution, Art. I §16, guarantees remedy by due course of law — this state court cannot nullify that guarantee.

43. **Judicial Immunity** does not apply because Defendants' acts were non-judicial, administrative, retaliatory, or taken in the clear absence of jurisdiction.

- Administrative acts: *Forrester v. White*, 484 U.S. 219 (1988).
- Outside judicial role: *Mireles v. Waco*, 502 U.S. 9 (1991).
- Retaliation for protected activity: *Barrett v. Harrington*, 130 F.3d 246 (6th Cir. 1997).

44. **Fraud and abuse** — fraud upon the court is not a judicial act but a corruption of the process itself. No immunity attaches to fraud, record tampering, or permitting physical assault in court.

45. **Declaratory and injunctive relief remain available.** Judicial immunity does not bar prospective relief. *Pulliam v. Allen*, 466 U.S. 522 (1984). Even after amendments to §1983, injunctive relief remains where declaratory relief is inadequate.
46. Defendants' reliance on sweeping immunity doctrines seeks to shield unconstitutional conduct from accountability. The law does not permit such an outcome.
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## VI. DAMAGES

47. Plaintiff has suffered:

- Loss of his default judgment.
- Retaliation for filing grievances.
- Emotional distress, reputational harm, and humiliation.
- Physical assault and trauma in open court.
- Denial of access to justice from docket tampering and systemic bias.
- Unequal footing against government-funded opposition.

48. Plaintiff seeks:

- **Compensatory damages: \$7,000,000.00** for the cumulative injuries suffered.
  - **Punitive damages** to punish and deter fraudulent use of office, retaliation, abuse, and assault.
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**VII. RELIEF REQUESTED**

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Enter judgment in favor of Plaintiff and against Defendants jointly and severally in the amount of **\$7,000,000.00** in compensatory damages.
- B. Award punitive damages in an amount to be determined by the Court to punish misconduct and deter future abuse.
- C. Declare Defendants' conduct unconstitutional and unlawful.
- D. Issue injunctive relief prohibiting further retaliation, docket tampering, misuse of prosecutors, and fraud upon Plaintiff.
- E. Order that venue be changed to a neutral jurisdiction outside Lorain County.
- F. Award all other relief this Court deems just and proper.

Respectfully submitted,

Michael Williams, Pro Se  
2913 Devore Court  
Lorain, OH 44055

**Michael Williams**

2913 Devore Court

Lorain, OH 44055

[Date]

**VIA CERTIFIED MAIL & EMAIL**

Judge D. Chris Cook

Magistrate Barbara A. Butler

Jane Doe, Clerk, Civil Division

Lorain County Court of Common Pleas

Lorain, OH

**Re: High-Leverage Settlement Demand – Complaint for Damages, Declaratory Relief, and Injunction**

Dear Defendants:

I, Michael Williams, Pro Se, write to formally provide notice of my intent to pursue claims in the Court of Common Pleas, Lorain County, Ohio, as detailed in my Complaint for Damages, Declaratory Relief, and Injunction. I am extending an opportunity for settlement prior to litigation, which I strongly encourage, as it is in the Defendants' and the County's best interest to resolve these matters promptly.

**Summary of Allegations and Legal Exposure**

1. **Retaliation for Protected Conduct** – Defendants retaliated against me for filing grievances and legal pleadings. See *Thaddeus-X v. Blatter*, 175 F.3d 378 (6th Cir. 1999). Retaliation against pro se litigants is actionable and exposes Defendants individually.
2. **Due Process Violations** – Defendants' refusal to recuse, docket tampering, and misuse of public resources deprived me of a fair and impartial tribunal (*Tumey v. Ohio*, 273 U.S. 510 (1927); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009)).
3. **Equal Protection Violations** – I was treated differently from other litigants for exercising constitutional rights, constituting "class of one" discrimination (*Village of Willowbrook v. Olech*, 528 U.S. 562 (2000)).
4. **Fraud Upon the Court** – Defendants enlisted government attorneys to undermine a valid default judgment. Fraud upon the court is universally recognized as egregious conduct outside judicial immunity (*Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944)).

5. **Physical Assault and Abuse in Court** – The events of August 29, 2025, including verbal abuse and a physical assault in court, demonstrate systemic bias, misconduct, and unsafe conditions for litigants.
6. **Misuse of Public Resources** – Utilizing taxpayer-funded personnel to defend personal misconduct violates Ohio law and equal protection principles.

### **Why Settlement is in Defendants' Best Interest**

1. **Substantial Financial Exposure** – The Complaint seeks \$7,000,000.00 in compensatory damages, plus punitive damages. Litigation may result in awards exceeding this amount, particularly given the documented abuse, fraud, and retaliation.
2. **Potential Liability Despite Immunity Claims** – Judicial and administrative immunity are unlikely to shield Defendants here because acts alleged are non-judicial, retaliatory, administrative, fraudulent, and in clear absence of jurisdiction (*Forrester v. White*, 484 U.S. 219 (1988); *Mireles v. Waco*, 502 U.S. 9 (1991); *Barrett v. Harrington*, 130 F.3d 246 (6th Cir. 1997)).
3. **Public Scrutiny and Reputational Risk** – Court records, transcripts, and investigative findings documenting misconduct will become public. Settlement allows control over narrative and institutional integrity.
4. **Institutional and Operational Consequences** – Allegations include systemic corruption, unsafe court conditions, and misuse of public funds. A public trial would necessitate investigations and reforms, creating administrative disruption and negative publicity.
5. **Legal Precedent for Settlement under Similar Circumstances** – Courts recognize that settlement in cases involving fraud, abuse of office, and constitutional violations avoids excessive costs and prolonged liability exposure (e.g., *Pulliam v. Allen*, 466 U.S. 522 (1984)).

### **Settlement Proposal**

To resolve this matter amicably and avoid litigation, I propose:

- **\$7,000,000.00 in total compensatory damages**, jointly and severally;
- **Punitive damages** to be mutually agreed upon;
- **Immediate injunctive relief** prohibiting further retaliation, docket tampering, misuse of prosecutors, and fraud;



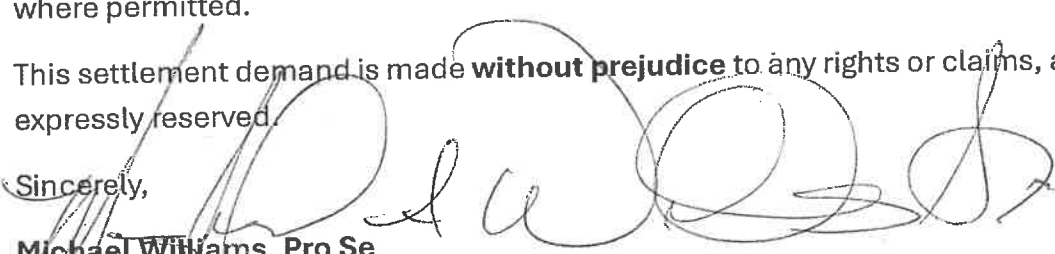
- **Formal acknowledgment and corrective steps** to prevent recurrence, including monitoring procedures and compliance measures;
- **Change of venue** for any future proceedings to ensure impartiality.

**Response Requested**

Please provide a written response **within 21 days** of receipt of this letter. Failure to engage in good-faith settlement discussions will leave me no choice but to proceed with litigation, seeking the full relief requested, including interest, costs, and attorney-equivalent fees where permitted.

This settlement demand is made **without prejudice** to any rights or claims, all of which are expressly reserved.

Sincerely,

  
**Michael Williams, Pro Se**  
2913 Devore Court  
Lorain, OH 44055