

IN THE SUPREME COURT OF OHIO

AIG FEDERAL SAVINGS BANK,

Plaintiff,

vs.

EVANS KOUKIOS ET AL.,

Defendants.

Common Pleas Case Nos.
A0806330 and A9902104

From the Hamilton County
Court of Common Pleas

Supreme Court Case No. 09-AP-037

**Judgment Entry on Defendant's
6/12/09 Affidavit of Disqualification**

Defendant Evans Koukios has filed an affidavit with the Clerk of this Court under R.C. 2701.03 seeking the disqualification of Judge Norbert Nadel, all other judges of Hamilton County, and other unnamed judges across the state from acting on any further proceedings in Case Nos. A0806330 and A9902104.

Koukios has filed four prior affidavits to disqualify Judge Nadel and other judges. See Case Nos. 08-AP-127, 09-AP-007, and 09-AP-037 (two affidavits). Those affidavits were denied by entries dated November 26, 2008, January 22, 2009, April 6, 2009, and May 5, 2009.

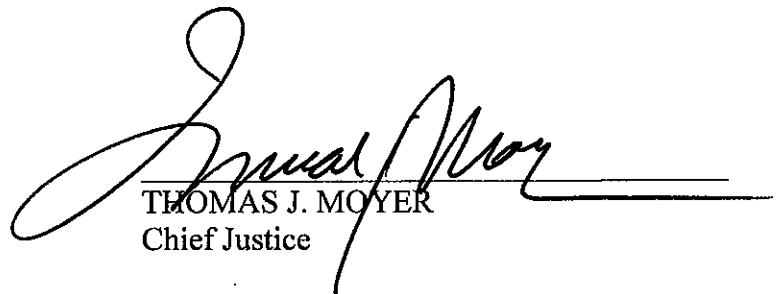
On June 12, 2009, Koukios filed a fifth affidavit of disqualification. I have reviewed Koukios' latest filing, and I conclude that the allegations in it are similar to those raised in his earlier affidavits of disqualification. For the reasons stated in my earlier decisions, his fifth affidavit of disqualification is denied.

Koukios has filed nine affidavits of disqualification since 2000. None of these affidavits was sustained. The statutory right to seek disqualification of a judge is an extraordinary remedy not to be used in a frivolous manner. Indeed, the filing of frivolous, unsubstantiated, or repeated affidavits of disqualification is an abuse of the purpose for which R.C. 2701.03 is intended, and a waste of judicial resources. See *In re Disqualification of Millard* (1992), 74 Ohio St.3d 1235,

657 N.E.2d 1343, and *In re Disqualification of Walker* (1992), 74 Ohio St.3d 1239, 657 N.E.2d 1346.

I have previously cautioned Koukios that an abuse of this process may result in sanctions against him. These admonitions, however, have been ignored. Accordingly, it is sua sponte ordered that Evans Koukios is found to be a vexatious litigator under S.Ct.Prac. R. XIV(5)(B). Koukios is hereby prohibited from continuing or instituting affidavit-of-disqualification proceedings in this Court without first obtaining leave. Any request for leave shall be submitted to the Clerk of Court for the Court's review.

Dated this 6TH day of July, 2009.


THOMAS J. MOYER
Chief Justice

Copies to: Kristina D. Frost, Clerk of the Supreme Court
Hon. Norbert A. Nadel
Hamilton County Clerk of Courts
Evans Koukios
John Cummins
Jeffrey M. Hendricks
Lawrence C. Baron