

STATE OF OHIO)	IN THE COURT OF APPEALS
) SS.	
COUNTY OF LAKE)	ELEVENTH DISTRICT

BRYAN ANTHONY REO,	JUDGMENT ENTRY
Plaintiff-Appellee,	
- vs -	CASE NOS. 2019-L-073
	2019-L-074
MARTIN LINDSTEDT, et al.,	
Defendants-Appellants.	

Appellee, Bryan Anthony Reo, moves to dismiss appellants’ appeal and alternatively seeks to strike appellants’ brief. He also moves for an extension of time to file his brief. Appellants have not responded. For the following reasons, we grant the motion to strike, overrule Reo’s motion to dismiss, and extend the time for him to file his brief.

In moving to strike appellants’ brief or dismiss the appeal, Reo raises three arguments. First, Reo contends that appellant, Martin Lindstedt, is engaging in the unauthorized practice of law by representing his co-appellant, Church of Jesus Christ Christian/Aryan Nations of Missouri (the church). Second, Reo claims that appellants’ brief fails to comply with appellate rules and does not include citations to the record. Finally, Reo asserts that the appeal should be dismissed or appellants’ brief stricken based on the inclusion of unnecessary and abusive language.

As for the contention that Lindstedt is improperly representing the church, an incorporated entity, appellants do not dispute this fact. Moreover, there is no indication that Lindstedt is a licensed attorney or is otherwise qualified to pursue an appeal on behalf of the church. R.C. 4705.01. (representing a party in a legal action without a license constitutes the unauthorized practice of law, which is prohibited).

And as Reo contends, there is no counsel for the church listed on the notice of appeal or appellants' brief; Lindstedt is the only signator on both filings. *Harvey v. Austinburg Dev. Corp.*, 11th Dist. Ashtabula No. 2006-A-0044, 2007-Ohio-3025, ¶ 5, quoting *Sheridan Mobile Village, Inc. v. Larsen*, 78 Ohio App.3d 203 (1992) (Ohio law does not allow a corporation to participate in legal proceedings "through an officer of the corporation or some other appointed agent."").

Thus, absent evidence that Lindstedt is a licensed attorney, he is precluded from making arguments or representing the church on appeal. And because Lindstedt's appellate brief raises issues and makes arguments that are intertwined with those on behalf of the church, appellants' December 17, 2019 appellate brief is stricken.

Moreover, appellants' notice of appeal likewise lacks an attorney's signature on behalf of the church.

Reo also claims that appellants' December 17, 2019 brief fails to include citations to the record. We agree. An appellant must present citations to authorities, statutes, and parts of the record on which he relies for each of his

contentions, each assignment of error raised, and the reasons in support. App.R. 16(A)(7); *Roberts v. Hutton*, 152 Ohio App.3d 412, 417-418, 787 N.E.2d 1267 (2003).


Here, appellants' brief consists of 33 pages of text, yet most pages contain no reference to the trial court's record and no legal citation or authority.

Finally, Reo contends that appellants' December 17, 2019 brief should be stricken in light of inclusion of derogatory and inappropriate language that does not purport to quote evidence presented to the trial court. We agree. Appellants' brief uses disparaging language throughout to describe Reo, the trial court, and the judicial process. Thus, we strike appellants' brief for this reason as well.

Based on the foregoing, appellee's motion to strike appellants' brief is granted. Appellee's motion to dismiss is overruled.

Lindstedt is ordered to file a new appellate brief within 20 days from the date of this judgment and must exclude derogatory and inflammatory language and name calling. Failure to comply may result in the dismissal of the appeal.

Finally, Reo's extension of time to file his brief is granted, and he shall file his brief 20 days after Lindstedt's new brief.



JUDGE THOMAS R. WRIGHT

MATT LYNCH, J.,

MARY JANE TRAPP, J.,

concur.