

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

TERRELL D. JORDAN,	:	APPEAL NO. C-240426
Plaintiff-Appellant,	:	TRIAL NO. A-2401724
vs.	:	
GOOD SAMARITAN HOSPITAL,	:	<i>JUDGMENT ENTRY</i>
Defendant-Appellee,	:	
and	:	
UC MOBILE PSYCH,	:	
and	:	
CINCINNATI POLICE	:	
DEPARTMENT DISTRICT 2,	:	
Defendants.	:	

This court sua sponte removes this cause from the regular calendar and places it on the court’s accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); Loc.R. 11.1.

Plaintiff-appellant Terrell D. Jordan appeals the judgment of the Hamilton County Court of Common Pleas granting defendant-appellee Good Samaritan Hospital’s (“the hospital”) Civ.R. 12(B)(6) motion to dismiss and sua sponte dismissing Jordan’s complaint against defendants UC Mobile Psych and Cincinnati Police Department District 2¹. In its motion to dismiss, the hospital argued that Jordan had

¹ UC Mobile Psych and Cincinnati Police Department District 2 did not appear in this appeal.

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failed to state a claim upon which relief could be granted because his complaint did not include factual allegations that established his relationship with the hospital, the date the allegations supposedly occurred, or how the hospital was involved. The trial court granted the hospital's motion on July 15, 2024 after Jordan failed to appear.

On appeal, Jordan's sole assignment of error focuses on the conduct of the trial court judge. In particular, Jordan accuses the trial court judge of violating the professional conduct rules that apply to judges. "But a direct appeal is not the proper avenue to allege a violation of the Ohio Code of Judicial Conduct." *Jordan v. City of Cincinnati*, 2024-Ohio-1044, ¶ 8 (1st Dist.). Rather a party who believes a judge is biased may file an affidavit of bias and prejudice with the Ohio Supreme Court. *Id.* We therefore decline to address this argument.

Taking Jordan's assignment of error broadly as a request to review the propriety of the trial court's Civ.R. 12(B)(6) dismissal, we similarly find no error in the trial court's order. Our review of a dismissal of a complaint for failure to state a claim is de novo. *Green v. Peters*, 2024-Ohio-6040, ¶ 6 (1st Dist.). In ruling on a motion to dismiss, the trial court must presume all factual allegations in the complaint are true and must make all reasonable inferences in favor of the nonmoving party. *Id.* To grant dismissal, it must appear beyond doubt "that the nonmoving party can prove no set of facts entitling it to the relief requested in the complaint." *Id.*

Applying these standards to Jordan's complaint, the trial court did not err in granting the hospital's motion to dismiss and in sua sponte dismissing the remaining defendants. This is so because Jordan's complaint contained no factual allegations entitling him to relief. Thus, there were no facts alleged in the complaint for the trial court to take as true. Rather, Jordan's complaint merely concluded, without more, that "on account of wrongful arrest, false imprisonment, and culpabilities of police

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brutality, the resident [and] plaintiff in this case asks Hamilton County Common Pleas Court to order them to pay \$181,000,000.00 and name this a 3-party class action lawsuit.” Absent factual support, Jordan failed to state a claim upon which relief could be granted, and the trial court properly dismissed his complaint under Civ.R. 12(b)(6).

We accordingly overrule Jordan’s assignment of error and affirm the trial court’s July 15, 2024 judgment.

The court further orders that 1) a copy of this Judgment constitutes the mandate, 2) the mandate be sent to the trial court for execution under App.R. 27, and 3) costs shall be taxed under App.R. 24.

KINSLEY, P.J., BOCK and NESTOR, JJ.

To the clerk:

Enter upon the journal of the court on 3/7/2025 per order of the court.

By: _____
Administrative Judge