

**IN THE COURT OF COMMON PLEAS  
SUMMIT COUNTY, OHIO**

<b>STATE OF OHIO,</b>	:	<b>CASE NO. CR-2020-10-2863</b>
	:	
<b>Plaintiff,</b>	:	<b>JUDGE MCCARTY</b>
	:	
<b>vs.</b>	:	
	:	<b>STATE'S REPLY AND MOTION</b>
<b>JOSEPH SENK,</b>	:	<b>TO STRIKE DEFENDANT'S</b>
	:	<b>CRIMINAL COMPLAINT</b>
<b>Defendant.</b>	:	

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The State of Ohio respectfully requests this Court strike Defendant Joseph Senk's Criminal Complaint. On August 4, 2021, Defendant filed a complaint in this matter alleging that Judge Allison McCarty and many other individuals, including several Ohio Attorney General employees, committed federal felony offenses. Pursuant to Crim.R. 6 and 7, felony charges shall be prosecuted by indictment, signed by the foreperson or deputy foreperson of the grand jury, and signed by the prosecuting attorney. Defendant's criminal complaint was not presented to the grand jury and was not signed by the foreperson or by a prosecuting attorney. Additionally, Defendant improperly filed the complaint in this matter, which is a criminal case between the State of Ohio and Defendant Joseph Senk. Therefore, this Court should strike Defendant's criminal complaint.

Respectfully Submitted,

DAVE YOST  
OHIO ATTORNEY GENERAL

/s/ Sally Smetzer Montell  
Sally Smetzer Montell (0091073)  
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### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this State of Ohio's Reply and Motion to Strike Defendant's Criminal Complaint was sent via regular mail to the Defendant at the below address on September 13, 2021.

Joseph Senk  
78 Beech Ave.  
Northfield, Ohio 44067

/s/ Sally Smetzer Montell  
Sally Smetzer Montell (0091073)