

14 AP 093

THE OHIO SUPREME COURT

In Guardianship of  
Clair Ray Miller  
CASE 12 GI 12

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**AFFIDAVIT  
Of  
DISQUALIFICATION  
Of  
JUDGE STEPHEN RUYLE**

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**AFFIDAVIT of FACTS**

Now comes Rosanna L. Miller (Rosanna) as the living flesh and blood daughter, applicant of this guardianship as the trusted nominee selected by Clair R. (Clair) and Elizabeth A. Miller (Ann) while in sound mind or memory and free from undue influence or restraint and the lawful/legal successor trustee of THE MILLER LIVING TRUST and files this Affidavit of Disqualification. With the experienced abuse and recent news that more egregious errors are soon to be made Rosanna moves this court to disqualify Judge Stephen Ruyle for bias and prejudice and acting outside the scope of an Oath of Office mandated by the Constitution for the United States of America, the Ohio Constitution and their sub codes. Upon information and belief states a *brief* list of the following facts:

1. Stephen Ruyle scheduled a redo guardianship for Clair Miller on November 18 & 19, 2013 that Judge Sumner Walters previously held on September 14, 2012.
2. Stephen Ruyle refused Clair admittance to the hearing that is guaranteed by right in the Constitution and Notice of Appointment.
3. Judge Ruyle called in probate clerks Mary Newkirk and Terri Ropp on November 19, 2013 to testify on behalf of Steven Fansler.
4. Mary Newkirk and Terri Ropp remained in the courtroom while each other testified.

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5. Judge Ruyle questioned these witnesses from the bench acting as legal counsel for Steven Fansler about probate form 17.2 that had been seriously altered, tampered and manipulated using White Out.
6. Rosanna was cut off from cross examining the witnesses.
7. Judge rule refused to order a complete and full accounting of the Miller estate for concealed, embezzled and extraordinary expenses of approximately \$850,000.00 after Rosanna motioned.
8. Judge Ruyle accepted testimony from Nancy Miller without taking an oath who testified for Clair who was refused attendance.
9. Judge Ruyle denied Ann her own money for a grave headstone on the illegal testimony of Nancy Miller.
10. Judge Ruyle had the bailiff remove Rosanna from the hearing on April 28, 2014 who had an inherent and contractual right to be there.
11. Judge Ruyle removed Rosanna because he said we were not going to talk about five year old cases that were closed. (Abbr. Tr. Ex A 1-2)
12. Judge Ruyle later had extensive verbal exchange with Nancy Miller about Clair and Ann's United States savings bonds from 2007. (Abbr.Tr. Ex B 1-3)
13. Judge Ruyle acted with bias, prejudice and conscious disregard of due process to converse with Nancy Miller for what he removed Rosanna for.
14. Nancy Miller has no firsthand knowledge of Clair and Ann's financial or personal affairs.
15. Rosanna is the only one who has full knowledge to answer all questions about her parent's estate.
16. Judge Ruyle acted with bias, prejudice and conscious disregard of due process to examine bonds but deny proper evidence for over three fourth of a million dollars extorted.
17. Judge Ruyle has opened the door to investigate the theft of the Miller estate which at all times was under the superior and plenary guardian's control.
18. Judge Ruyle has recently written he is ready to approve Steven Fansler's accounting without investigation for the gouging of expenses, missing assets and tangible property.



18. Judge Ruyle allowed defamation statements made on the record about Rosanna when she was denied attendance to defend herself.

19. Rosanna has been refused contact with her father and the court ordered medical records by the superior and plenary guardians while the estate is concealed and embezzled.

20. Rosanna is fearful she will be threatened, removed or arrested if she attends hearings to demand accountability and restitution of her family's estate and physical care of her father.

21. Rosanna has more lawful and legal right to be present than any other party.

22. The people should not feel fear in American courts.

I swear that the information entered above is true and correct as I know it, to the best of my knowledge, under penalty of perjury.

*Rosanna Lynn Miller*

Rosanna Lynn Miller  
10469 Westfall Rd.  
Amanda, Oh. 43102  
740-969-2468

State of OHIO )  
 )SS:  
County of Franklin )

Subscribed and sworn to me this 7th day of November, 2014, by Rosanna Lynn Miller, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

*Shawn Fosnaugh*  
Notary Public



SHAWN FOSNAUGH  
NOTARY PUBLIC  
STATE OF OHIO  
Commission expires  
2/6/17

I ROSANNA MILLER AMEND AFFIDAVIT  
OF DISQUALIFICATION THAT HEARING IS  
SET FOR NOVEMBER 14, 2014.

Rosanna L Miller

THE AFFIDAVIT OF DISQUALIFICATION  
WAS SERVED TO THE FOLLOWING BY  
US MAIL ON THIS DATE NOVEMBER 7, 2014.

JUDGE STEPHEN RUYLE  
STEVEN FANSLER  
KATHY MCCURKLE  
NANCY MILLER

Rosanna L Miller



EX  
A.1

1 imagining is suggested. If it is not by the follow ups,  
2 we won't do it. That is what the letter said.

3 MS. ROSANNA MILLER: So they are going to do  
4 this preliminary stuff -- mini mental status exam. Does  
5 anybody know what that is? Because I do. They are going  
6 to do a mini -- before they go in, that will determine  
7 whether or not they are going to go into the other  
8 testing of the MRI and the EEG. Correct?

9 THE COURT: That's what the letter says.

10 MS. ROSANNA MILLER: Sir, I am just trying to  
11 find out and understand, to make sure I understand this.  
12 And the process of the direction they are going.

13 I want to ask you about -- I'm concerned that we  
14 could have saved my father from this.

15 MS. NANCY MILLER: Can I --

16 THE COURT: Rosann you are done right now.  
17 Since you cannot quit ignoring closed 5 year old cases  
18 that are gone --

19 MS. ROSANNA MILLER: (Inaudible.)

20 THE COURT: -- done right now --

21 MS. ROSANNA MILLER: I want to ask about --

22 THE COURT: You are done.

23 MS. ROSANNA MILLER: No. I object. I want to  
24 ask --

25

EX  
A-2

1 THE COURT: Officer, remove her from the  
2 courtroom.

3 DEPUTY ANSPAUGH: Rosann, get your stuff.

4 MS. ROSANNA MILLER: I want it on the record --

5 THE COURT: It's -- The record is --  
6 The record is --

7 MS. ROSANNA MILLER: Depakote is being sued --

8 THE COURT: It's on the record that the court  
9 has removed --

10 MS. ROSANNA MILLER: They have been sued.  
11 They have been sued. It's because they have been sued  
12 because they've been linked to dementia --

13 THE COURT: (Inaudible.)

14 MS. ROSANNA MILLER: This is my father --

15 DEPUTY ANSPAUGH: The judge is ordering you out  
16 of the courtroom.

17 MS. ROSANNA MILLER: I object to this.

18 THE COURT: Objection noted.

19 MS. ROSANNA MILLER: Let's go.

20 THE COURT: Okay. This entire procedure has  
21 been on the record. There isn't any procedure being  
22 followed here.

23 \* MS. NANCY MILLER: I am in a little bit of \*  
24 \* shock. Can we have a cigarette break? \*

25 THE COURT: Now, your motion as to your

FILED  
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Probate Division



EX-10  
B-1

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1 front of him when we met. It was \$9653. Slightly under  
2 the \$10,000 amount with inflation factor built in.

3 THE COURT: Terrific. So that's taken care of.  
4 Thank you very much for doing that.

5 MR. FANSLER: Yes.

6 THE COURT: Did you hear that exchange, Division?

7 MS. NANCY MILLER: No. I didn't. I was  
8 concentrating.

9 THE COURT: At the last hearing I told  
10 Mr. Fansler to go ahead and take care of a prepaid  
11 funeral for your father, and indicated that was a  
12 legitimate expense of the guardianship. That has been  
13 done. At the same home that your mother was taken care  
14 of. So that's paid. It's all done. And he bought the  
15 -- he paid for the one that -- no matter how much the  
16 cost increases, the cemetery takes care of it.

17 MS. NANCY MILLER: Okay. I just want -- this  
18 was another thing that Mr. Fansler never took care of.  
19 Dad had to sue Rosanna and Kathy for -- it says right in  
20 there, cash bonds. Did amend that --

21 THE COURT: Wait a minute. When was this?

22 MS. NANCY MILLER: This was...

23 THE COURT: 07? (2007)

24 MS. NANCY MILLER: Yes. That was amended  
25 because Kathy finally did return the \$16,000 back to the

EX  
B-2

1 Court. But she had convinced dad to hand over \$200,000.  
2 But it says right in there, the bonds, dad knows the  
3 bonds were stolen.

4 Oh, I know what I was going to say here. Judge  
5 Brady set that aside about the time that dad had that  
6 case going, and Judge Brady appointed the guardian ad  
7 litem so everybody was supposed to return the money.  
8 Rosanna took, returned that \$173,000.  
9 \$300,000 she said she had. But --

10 THE COURT: What happened --

11 MS. NANCY MILLER: -- and so Judge Brady said  
12 this --

13 THE COURT: What happened to this case?

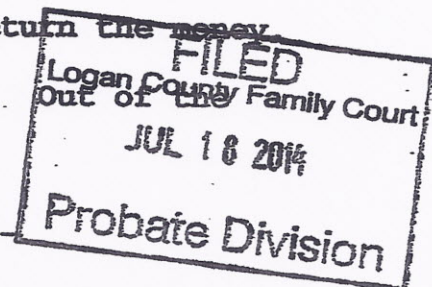
14 MS. NANCY MILLER: Judge Brady set aside  
15 because everybody was supposed to return the money. And  
16 Steve Fansler in his representation of dad was supposed  
17 to reopen that again after he found out how much money  
18 had been returned.

19 MS. KATHY McCORKLE: That's all wrong, your  
20 Honor.

21 MR. FANSLER: News to me too.

22 THE COURT: I will take a look at the entry in  
23 this case and see what happened.

24 MS. NANCY MILLER: It's in the probate case,  
25 though.



??????(2007)



EX  
B-3

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1 THE COURT: Well, it's all right out here.

2 MS. NANCY MILLER: Wait a minute. I have that  
3 paper.

4 THE COURT: No. No. This was in **FILED in**  
5 the Common Pleas Court. I -- Logan County Family Court

6 MS. KATHY MCCORKLE: Your Honor, if I may.  
7 When my mom passed away. Steve Fansler wasn't even  
8 involved then. There was another attorney that my  
9 brother got. And my sister Rosanna and I were really not  
10 close on speaking terms.

11 And my husband and I had gone up to dad's house when  
12 my mom passed away. And Jim, who I really wasn't close  
13 to either, I mean...I didn't know much about what he was  
14 doing or anything. And he asked me if I would go with  
15 dad to the bank and put this account in my name so  
16 Rosanna couldn't get in and take it. Because she was  
17 like POA on the account or something. I can't... you  
18 know it's kind of foggy what I remember. But I agreed to  
19 do it. And I always said to dad, "Dad, is that what you  
20 want to do?" And he said yeah. Of course Jim was  
21 directing dad's thoughts then. So dad and me and Jim  
22 were at the bank when that was put in an account in my  
23 name --

24 THE COURT: Um-hum?

25