

**IN THE COURT OF COMMON PLEAS**

**LAKE COUNTY, OHIO**

KATARINA VESNA MIJIC-BARISIC	)	CASE NO.:
8977 RED TAIL LANE	)	
KIRTLAND, OHIO 44094	)	
	)	JUDGE:
Plaintiff,	)	
	)	
vs.	)	COMPLAINT
	)	
	)	(Jury Demand Endorsed Hereon)
LAKE COUNTY AUDITOR	)	
c/o CHRISTOPHER A. GALLOWAY	)	
105 MAIN STREET, SUITE C101	)	
PAINESVILLE, OHIO 44077	)	
	)	
Defendant.	)	

**INTRODUCTION**

Plaintiff brings this action under R.C. §149.351 seeking civil forfeiture, declaratory relief, injunctive relief, fees, costs, and any other relief that the Court deems just and proper, for Defendant's wrongful destruction, removal, mutilation, or damage of public records in violation of R.C. §149.351, which has aggrieved Plaintiff, thereby entitling Plaintiff to relief under Ohio law.

**JURISDICTION AND VENUE**

1. This Court has subject-matter jurisdiction pursuant to R.C §149.351(B).
2. Venue is proper in Lake County, Ohio under Ohio law because the Defendant is located in Lake County and the events giving rise to this complaint occurred within Lake County.

### **PARTIES**

3. Paragraphs one (1) and two (2) are incorporated by reference as though fully set forth herein.
4. Plaintiff, Katarina Vesna Mijic-Barisic, is an individual and resident at 8977 Red Tail Lane, Kirtland, Ohio, Lake County, Ohio. Plaintiff is an "aggrieved person" under R.C. §149.351.
5. Defendant, Lake County Auditor, is a public office subject to the Ohio Public Records Act, R.C. Chapter 149, and is located in Lake County, Ohio. At all times relevant hereto, Defendant is or was responsible for the preservation, retention, and production of public records in accordance with the Ohio Public Records Act, R.C. Chapter 149, including but not limited to R.C. § 149.351.

### **STATEMENT OF FACTS**

6. Paragraphs one (1) through five (5) are incorporated by reference as though fully set forth herein.
7. Plaintiff is the owner of property located at 8977 Red Tail Lane, Kirtland, Ohio 44094, Lake County, Ohio.
8. In or about mid-summer 2024, Defendant Lake County Auditor caused to be mailed proposed property valuation notices to property owners throughout Lake County, Ohio, advising them of updated property values for tax year 2024 (the "Notices," or individually, a "Notice").
9. The Notices included instructions to property owners under a section labeled "Next Steps," which advised recipients how to respond to the proposed property valuation.
10. The "Next Steps" section of the Notices stated, in relevant part, as follows: "Next Steps. 1. If you agree that the value is accurate, there is nothing else to do. Have a nice day! 2. If you believe the value is incorrect or you have questions: \*\*\*\*\* You may schedule an informal review to discuss your property's value with an appraiser. Reviews can be in-person, via telephone or submitted to our office for staff review

without needing to come in. The review process occurs between 8/21/2024 and 9/14/2024.”

11. Plaintiff received a Notice and, believing the listed value of her home to be incorrect, followed the instructions set forth on the Notice and timely scheduled an informal review with Defendant.
12. In or about October 2024, Plaintiff participated in-person in Defendant’s informal review process.
13. During Plaintiff’s informal review conducted in or about October 2024, Defendant created and maintained records reflecting Plaintiff’s revised property valuation determination, including records evidencing a lower valuation than the valuation stated on the Notice Plaintiff received prior to the informal review.
14. At the conclusion of Plaintiff’s informal review, Defendant’s representative handwrote the newly determined lower value on Plaintiff’s Notice and informed Plaintiff that she would receive written confirmation of the revised, lower valuation by mail.
15. Contrary to the valuation determined and communicated during the informal review, Plaintiff thereafter received an email from Defendant stating that Defendant had decided to increase Plaintiff’s property valuation from the value determined at the informal review.
16. On or about October 28, 2024, in an effort to understand the basis for Defendant’s decision to substantially increase Plaintiff’s property valuation from the lower value determined during the informal review, Plaintiff submitted a public records request pursuant to R.C. §149.43 seeking copies of the records relied upon by Defendant in connection with Plaintiff’s informal review.
17. On or about November 26, 2025, Defendant, through its legal counsel, acknowledged that Defendant’s computer system automatically overwrote all records generated, entered, and maintained by Defendant during the informal review, resulting in the destruction of all records of the informal review.

18. Dismayed and concerned by Defendant's actions described above, Plaintiff sought to ascertain whether Defendant had similarly destroyed records from other informal review processes. Accordingly, Plaintiff submitted a public records request to Defendant on or about December 15, 2024, seeking records relating to other Lake County property owners whose property valuations were changed by Defendant following the informal review process, including records identifying affected properties, records relied upon by mediators in determining property valuations, and records used by Defendant to modify or override the valuations determined through the informal review process.
19. In response to Plaintiff's public records request, on or about December 23, 2024, Defendant produced two (2) spreadsheets but failed to provide any of the records specifically sought by Plaintiff.
20. As a result of Defendant's actions and system practices, the informal review records relating to Plaintiff's property valuation, as well as the informal review records relating to the properties of over one thousand other Lake County property owners, were removed, destroyed, overwritten, or otherwise disposed of, contrary to law and in violation of R.C. §149.351(A).
21. Upon information and belief, Defendant destroyed or disposed of these records without authorization and without compliance with any approved records retention schedule, in violation of R.C. §149.351(A).
22. Plaintiff has been aggrieved by Defendant's unlawful destruction of public records because the destroyed records are directly relevant to the valuation of Plaintiff's property and to the valuations of the properties of over one thousand other Lake County property owners.
23. Defendant's continued failure to preserve informal review records constitutes an ongoing violation of R.C. §149.351(A) and threatens irreparable harm to Plaintiff and other Lake County property owners.

## **CLAIMS FOR RELIEF**

### **COUNT 1: CIVIL FORFEITURE UNDER R.C. § 149.351**

24. Paragraphs one (1) through twenty-three (23) are incorporated by reference as though fully set forth herein.
25. Under R.C. §149.351(B), each record removed, destroyed, mutilated, transferred, or otherwise damaged or disposed of, in whole or in part, in violation of law constitutes a separate violation of R.C. §149.351(A).
26. Under R.C. §149.351(B)(2), Plaintiff is entitled to judgment against Defendant in an amount equal to One Thousand Dollars (\$1,000) times the number of unlawfully removed, destroyed, mutilated, transferred, or otherwise damaged or disposed of records, plus interest, costs, and any other relief permitted by law.

### **COUNT II: DECLARATORY RELIEF**

27. Paragraphs one (1) through twenty-six (26) are incorporated by reference as though fully set forth herein.
28. Plaintiff seeks a declaration from this Court that: (a) the destroyed, removed, or altered items were public records under R.C. §149.011(G) and R.C. §149.351; (b) Defendant's destruction, removal, or alteration was unauthorized under applicable records retention schedule(s) or procedures; and (c) future destruction, removal, or alteration under similar practices would violate Ohio law.

### **COUNT III: INJUNCTIVE RELIEF**

29. Paragraphs one (1) through twenty-eight (28) are incorporated by reference as though fully set forth herein.
30. Because Defendant's admitted or alleged practices threaten further destruction, alteration, or removal of public records, Plaintiff seeks a preliminary and permanent injunction prohibiting Defendant from destroying, removing, or altering records except in strict compliance with Ohio law (including retention schedules,

destruction procedures, notice, and oversight), and compelling Defendant to preserve all remaining relevant records.

31. Without injunctive relief, Defendant's ongoing practices will cause irreparable harm to Plaintiff and the public.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Enter judgment in favor of Plaintiff and against Defendant on Count I, awarding civil forfeiture in the amount of One Thousand Dollars (\$1,000) per unlawfully destroyed, removed, or damaged record;
- B. Issue a declaratory judgment in favor of Plaintiff on the issues identified in Count II;
- C. Issue preliminary and permanent injunctive relief as requested in Count III, enjoin Defendant from destroying, removing, or altering records except in compliance with law, and directing Defendant to implement procedures to preserve, maintain, and prevent the unlawful destruction of public records in the future; and
- D. Award Plaintiff costs, interest, and other relief the Court deems just and proper.

Respectfully submitted,

/s/ Katarina Vesna Mijic-Barisic  
Katarina Vesna Mijic-Barisic (0064727)  
Pro Se Plaintiff  
8977 Red Tail Lane  
Kirtland, Ohio 44094  
Tel.: (216) 255-8418  
Email: kvesnamb@gmail.com

**JURY DEMAND**

Plaintiff respectfully demands a trial by jury as to all issues so triable.

/s/ Katarina Vesna Mijic-Barisic  
Katarina Vesna Mijic-Barisic (0064727)  
Pro Se Plaintiff

TO THE CLERK:

Please serve a copy of the Complaint and a Notice of Summons on Defendant by certified mail, return receipt requested, at the address listed on the face of the Complaint.

/s/ Katarina Vesna Mijic-Barisic  
Katarina Vesna Mijic-Barisic (0064727)  
Pro Se Plaintiff