

**BEFORE A SPECIAL COMMISSION OF THREE RETIRED JUDGES UNDER
OHIO REVISED CODE 3.16
APPOINTED BY
THE CHIEF JUSTICE OF THE
THE SUPREME COURT OF OHIO**

In re: A Proceeding Under Ohio Revised
Code Section 3.16 Concerning Richard
Homrighausen, Mayor, City of Dover, Ohio

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**NOTICE OF FINAL
DETERMINATION**

This matter involves a final determination by a Special Commission of three retired judges appointed by the Chief Justice of the Supreme Court of Ohio under R.C. 3.16 whether public official, Richard Homrighausen, shall be suspended from office.

Homrighausen is currently the elected Mayor of the City of Dover, Ohio. On March 10, 2022, Homrighausen was indicted by a Tuscarawas County grand jury on the following felony charges: one count of Theft in Office (R.C. 2921.41(A)(1), 2921.41(B)); one count of Having an Unlawful Interest in a Public Contract (R.C. 2921.42(A)(1), 2921.42(E)); and six counts of Filing Incomplete, False and Fraudulent Returns (R.C. 5747.19(-), 5747.99(A)).

Robert F. Smith of the Auditor of State's office was appointed as Tuscarawas County Special Prosecutor to prosecute the criminal case against Homrighausen. On March 14, 2022, Smith filed a notice with the Chief Justice in accordance with R.C. 3.16, requesting that she appoint a special commission to make a preliminary determination as to whether Homrighausen should be suspended from public office.

On April 6, 2022, not sooner than 14 days after receiving the request, the Chief Justice established a Special Commission composed of three retired judges of a court of record: Hon. Judge R. Alan Corbin, Ret.; Hon. Judge John G. Haas, Ret.; and Hon. Judge Reeve W. Kelsey,

Ret. The Chief Justice provided the Special Commission with all documents and materials pertaining to the matter that were received from the Auditor's Office.

On April 15, 2022, the Special Commission convened to review the Request to Commence Suspension Proceedings and the documents and materials provided by the Chief Justice, including the criminal indictment against Homrighausen. The Special Commission also considered the response filed by Homrighausen's counsel. The Special Commission preliminarily determined that the alleged conduct underlying Homrighausen's performance of the duties of his office as set forth in the indictment and the documents and materials provided by the Chief Justice, and as covered by the charges, adversely affect the right and interests of the public.

On April 19, 2022, the Special Commission issued its preliminary determination that Homrighausen should be suspended from office. On April 27, 2022, Homrighausen's counsel filed with the Special Commission a notice that he will not contest the Special Commission's preliminary determination. Consistent with that notice, Homrighausen did not file a notice contesting the preliminary determination within 14 days after he received notice of the preliminary determination.

As a result, under R.C. 3.16(C)(2), the preliminary determination is now the Special Commission's final determination. Under R.C. 3.16(C)(3)(b) and 3.16(C)(4), Homrighausen is suspended from the office of Mayor of Dover, Ohio.

Dated: **May 4, 2022**

/s/ R. Alan Corbin
Retired Judge R. Alan Corbin

/s/ John G. Haas
Retired Judge John G. Haas

/s/ Reeve W. Kelsey
Retired Judge Reeve W. Kelsey