



NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed: MOTION
October 29, 2026 21:59

By: JAMES L. HARDIMAN 0031043

Confirmation Nbr. 4026998

EMIERE LEMONS, ET AL

CV 26 149625

vs.

OHIO HIGH SCHOOL ATHLETIC ASSOCIATION

Judge: ANDREW J. SANTOLI

Pages Filed: 8

**IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO
CIVIL DIVISION**

EMIERE LEMONS

By and through his Mother
and Next Friend

THELLA TURNER

11916 Cromwell Avenue
Cleveland, Ohio 44120,

and

LaNEIL WATSON

By and through his Mother
and Next Friend

LaTOYA WATSON

977 East 78th Street
Cleveland, Ohio 44108,

Plaintiffs

vs.

OHIO HIGH SCHOOL ATHLETIC ASSOC.

4080 Roselea Place
Columbus, Ohio 43214

Defendant..

**MOTION FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION**

I. INTRODUCTION

Now comes the Plaintiffs, pursuant to Ohio Civ. R. 65(A) and moves this Court to issue a temporary restraining order and preliminary injunction pending a ruling on Plaintiff's complaint for Injunctive Relief, including Plaintiff's request for a permanent injunction directing that the Defendant Ohio High School Athletic Association ("OHSAA") their officer agents, servants, employees and/or attorneys shall refrain from:

- a. Removing Glenville High School from the 2026 OHSAA Boys Football Playoff tournament.

- b. Declaring that the Glenville High School is ineligible from participating in the 2026 OHSAA Boys Football Tournament.
- c. Taking any action which would impede the Glenville High School football team and any of its members from participating in the 2026 OHSAA Boys Football Tournament

II. BASIS FOR INJUNCTIVE RELIEF

In determining whether to grant injunctive relief, Plaintiff recognizes that a court must take into consideration four factors.

- 1. The likelihood of success on the merits.
- 2. Whether the issuance of the injunction will prevent irreparable harm to the Plaintiff.
- 3. What injury to others will be caused by the granting of the injunction, and
- 4. Whether the public interest will be served by the granting of the injunction

See *Scott v. Ohio High School Athletic Association* (2000), 2000 WL 988531 (Stark App. No. 1999 CA 00269, citing *Corbett v. Ohio Building Authority* (1993), 86 Ohio App. 3d 44

- A. PLAINTIFF IS PREPARED TO SATISFY THE FOUR-PART TEST FOR INJUNCTIVE RELIEF AND HAS A SUBSTANTIAL LIKELIHOOD OF SUCCESS ON THE MERITS

Plaintiffs are students at Ginn Academy, a non-traditional school that is sponsored by the Cleveland Metropolitan School District ("CMSD") Plaintiffs are also members of the Glenville football team and have participated as student-athletes during the 2026 school year. Each year, OHSAA determines which Ohio high school football players and/or teams are eligible to enter the post-season playoff tournaments through a computer rating system that awards points based upon a formula that considers the number of games played and wins against various "Division" teams ranked by size.

The OHSA has promulgated By-Laws that govern athletic competition between its member schools which requires that for participation in high school football playoffs, student athletes, among other things are required to provide a verified residential address to CMSD which is obligated to provide documentation of the address to OHSSA. Each of the Plaintiffs as well student-athletes that are similarly situated including the entire Glenville High School football team complied with the address cocumenation requirement and notified Cleveland as to their residential address. In spite of the Plaintiffs' compliance with the OHSA verification requirements, OHSSA rejected the eligibility of the entire Glenville High School team and declared the entire Glenville football team ineligible to participate in the 2026 high school football playoff tournament. Given the arbitrary nature of the OHSA application of the residency document, Plaintiff submits that there is a stong liklihood of success on the merits.

In the present situation, the decision by OHSA is not supported by any reliable, probative or permissive evidence that would justify its decision to prohibit the student athletes at Glenville High School from participating in the 2026 highscool footbal playoff tournament. Therefore, Plaintiffs would contend that granting to Plaintiffs a temporary restraining order, enjoining the OHSA from removing Glenville from the 2026 OHSA football tournament pending a full hearing would maintain the status quo, eliminate extreme prejudice to the integrity of the tournament selectionprocess and enable the post-season football tournament to be conducted in a fair, unbiased manner.

- B. THE NEED FOR IMMEDIATE INJUNCTIVE ACTION IS BASED ON THE FACT THAT THE NEXT PLAYOFF GAME IS SCHEDULED FOR OCTOBER 30, 2026 THE DAY IMMEDIATELY FOLLOWING THE FILING OF THIS MOTION.

The necessity for immediate action is based on the fact that the next playoff game is scheduled for October 30, 2026 which means that should injunctive relief not be granted the issue will be moot and the students-athletes will have no other remedy at law or equity. Under normal circumstances, Glenville would have the option of appealing an adverse decision. However, any administrative appeal deadline is so short that requiring the exhaustion under the facts of this situation would make the administrative remedy inadequate, ineffective or incapable of preventing irreparable harm. In *Nelson v. OHSSAA* 218-Ohio-4169. Although OHSA is a voluntary, private nonprofit association, rather than a governmental agency and its decisions are generally entitled to deference, the courts may intervene where there is arbitrariness, fraud or collusion or, as is the situation in the present case, a procedure that is inconsistent with due process. Although the plaintiffs in the Nelson decision had a ruling against them, it does establish that full exhaustion of administrative remedies is not always necessary. Therefore, unless this Court issues a temporary restraining order, the plaintiff and all of the student athletes that participate in football for the Glenville High School football team the entire team, not just the alleged offenders will be unreasonably punished without anything resembling due process and, consequently, will be subject to permanent and irreparable harm. Basically, unless some immediate injunctive relief is granted, the entire football team will suffer permanent and irreparable harm.

C NO OTHER PARTY WILL BE INJURED IF THE REQUESTED TEMPORARY
RESTRAINING ORDER IS GRANTED.

The very essence of interscholastic high school athletics is competition, based on fair play and reasonable dedication to competitive excellence. Hard-work may result in

excellence and achievement. The lessons taught in athletic endeavors are lessons that uniquely geared to instill pride based on hard-work and discipline.

In the present situation, no party, other than the Glenville football team, will be injured if the request for injunctive relief is denied. In fact, the Glenville football team, not any other party, will be injured in the request for temporary relief is granted. Basically, punishing the entire football team will result in a a travesty which only an injunction can prevent.

D. THE PUBLIC INTEREST WILL BE SERVED BY GRANTING THE REQUESTED TEMPORARY RESTRAINING ORDER

There is precedents for granting injunctive relief against the OHSAA where their actions are aritrary and not supported by the facts or the law. Most recently, the Brayton and Bryden Feister brother had an emergency preliminary injunction rendered in their favor permitting them to continue to play football in spite of an OHSAA ruling suspending them from the balance of the football season. Applying the facts of the Feister situation to the Glenville Football case, it is clear that not only Glenville but the entire athletic communiy will benefit if injunctive relief is granted since .punishing the entire team is neither fair, reasonable or consistent with the tenets of due process.

This principle was recently reinforced by the Fifth District Court of Appeals on October 16, 2026 when the court granted an emergency preliminary injunction permitting two brother to continue to play for the Massillon Washington football team. Applying that logic to the present situation, it would strongly suggest that the OHSAA cannot rule arbitrarily but must exercise reasonable restraint and afford all parties with due process of law.

III. CONCLUSION

For all of the foregoing reasons, on behalf of the Glenville High School football team Plaintiffs submit that they have a substantial likelihood of success on the merits that they will suffer permanent and irreparable harm absent injunctive relief and, given the immediacy of the scheduled football playoff game, they have no other adequate remedy at law which will do no harm to the public interest.

Respectfully,

/s/ Michael L. Nelson, Sr.

Attorney for Plaintiffs(0044045)
3615 Superior Avenue-Suite 3101-D
Cleveland, Ohio 44114
(216) 431-7811-Business
(216) 431-7644-Facsimile

/s/ James L. Hardiman

James L. Hardiman (0031043)
Attorney for Plaintiffs
3615 Superior Avenue-Suite 3101-D
Cleveland, Ohio 44114
(216) 431-7811-Business
(216) 431-7644-Facsimile
attvjhard@aol.com

/s/ Stanley Jackson

Stanley Jackson (0077011)
2000 Auburn Drive-Suite 200
Beachwood, Ohio 44122
(216) 431-7811-Business
(216) 431-7644-Facsimile
stanthelawyer@gmail.com

CERTIFICATE OF SERVICE

A copy of the foregoing Complaint will be had on the OHSA via electronic transmission and through the Court's electronic filing system on the 30th day of October, 2026.

/s/ James L. Hardiman

James L. Hardiman (0031043)

STATE OF OHIO)
) AA AFFIDAVIT
CUYAHOGA COUNTY)

THELLA TURNER, being first duly sworn, deposes and says that she is the mother and next friend of Emiere Lemons.

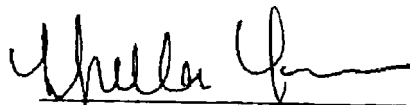
Affiant further says that she is submitting this Affidavit as the mother of Emiere Lemons based on the fact that he is a minor, under the age of 18.

Emiere Lemons is a member of the Glenville High School Football team and participated during the 2026 school year.

Affiant believes that her son as well as the entire football team at Glenville High School will suffer permanent and irreparable harm should the Ohio High School Athletic Association bar them from participating in the 20²⁶ high school football playoff tournament

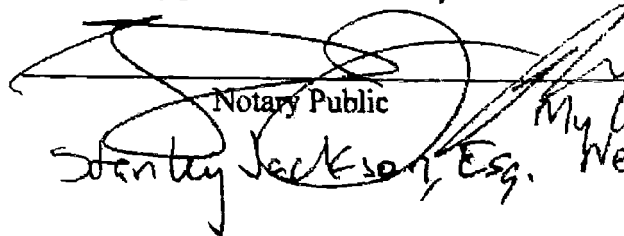
Affiant further says that she has read the foregoing Motion for Temporary Restraining Order and Preliminary Injunction, that she is familiar with the matters alleged therein and that the facts and allegations contained therein are true to the best of her knowledge and belief.

Further Affiant saith naught.



Thella Turner

SWORN TO BEFORE ME and subscribed in my presence this 29th day of October 2026.



Notary Public
Stanley Jackson, Esq. My Commission Never Expires