

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

JAMAL GIRAD)	CASE NO. CV 11 760579
)	
Plaintiff,)	JUDGE JOHN P. O'DONNELL
)	
vs.)	<u>JOURNAL ENTRY</u>
)	
YAHIA JOSEPH, et al.)	
)	
Defendants.)	

John P. O'Donnell, J.:

Plaintiff Jamal Girad filed this lawsuit on July 27, 2011 with motions for a temporary restraining order and a preliminary injunction. A hearing on the motion for a temporary restraining order was held August 4 and the motion granted by an entry journalized August 16. A hearing on the motion for a preliminary injunction was held August 22. The plaintiff and his counsel were present. Defendant Yahia Joseph appeared *pro se*. Defendant Aliah Josephine, Inc. did not appear. This entry follows.

Upon motion of the plaintiff, all of the record evidence from the August 4 hearing was incorporated as part of the record at the preliminary injunction hearing. Additional evidence was presented in the form of testimony by defense witness Dawfiq Eid and six check register stubs admitted as defense exhibits A through F.

Having reconsidered all of the evidence previously given and incorporated into the preliminary injunction hearing, and having considered the new evidence, the court grants the motion for a preliminary injunction for all of the reasons given in the entry granting the motion for a temporary restraining order¹ and hereby orders as follows:

¹ That entry is incorporated as if fully rewritten herein.

PRELIMINARY INJUNCTION

1. Defendant Yahia Joseph is ordered not to convey to anyone any purported interest in permanent parcel numbers 138-10-028 and 138-10-113; and

2. Defendant Yahia Joseph is ordered not to demand, or accept, any consideration for any interest in permanent parcel numbers 138-10-028 and 138-10-113; and

3. The office of the fiscal officer of Cuyahoga County is ordered to record a time-stamped copy of this journal entry in connection with permanent parcel numbers 138-10-028 and 138-10-113, without charge, upon presentation by the plaintiff or someone on his behalf.

Because the property that is the subject of this order is real estate, no bond is required of the plaintiff.

This order will remain in effect indefinitely until further order of the court. A trial on the plaintiff's complaint is scheduled for November 30, 2011, at 9:00 a.m. in courtroom 18-D of the Justice Center, 1200 Ontario Street, Cleveland.

IT IS SO ORDERED:

Judge John P. O'Donnell

Date: _____

SERVICE

A copy of this Journal Entry was sent by e-mail or regular U.S. mail as indicated, this _____ day of August, to the following:

Joseph A. Dubyak, Esq.
jadubyak@hotmail.com
Attorney for Plaintiff

Yahia Joseph
4096-4098 East 131st Street
Cleveland, OH 44105
Defendant, pro se

JUDGE JOHN P. O'DONNELL