

[Cite as *Malcolm-Smith v. Goff*, 90 Ohio St.3d 316, 2000-Ohio-90.]

MALCOLM-SMITH ET AL., APPELLEES, v. GOFF, SUPT., ET AL., APPELLANTS.

[Cite as *Malcolm-Smith v. Goff* (2000), 90 Ohio St.3d 316.]

*Court of appeals' judgment reversed by reason of res judicata.*

(No. 99-2287 — Submitted October 10, 2000 — Decided December 13, 2000.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 74648.

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*Uche Mgbaraho, Sara J. Harper, Roy Kaufman and Stanley Tolliver*, for appellees.

*Betty D. Montgomery*, Attorney General, *Roger F. Carroll* and *James G. Tassie*, Assistant Attorneys General, and *Stephen P. Carney*, Associate Solicitor, for appellants John M. Goff and state of Ohio.

*Squire, Sanders & Dempsey, L.L.P., Frederick R. Nance* and *Steven A. Friedman*; and *Cornell P. Carter*, Director of Law, for appellant Michael R. White.

*Lisa Marie Ruda*, Chief Legal Counsel, urging reversal for *amicus curiae*, Cleveland Municipal School District.

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The judgment of the court of appeals is reversed by reason of *res judicata*. *Stromberg v. Bratenahl Bd. of Edn.* (1980), 64 Ohio St.2d 98, 18 O.O.3d 343, 413 N.E.2d 1184. See, also, *Richards v. Jefferson Cty., Alabama* (1996), 517 U.S. 793, 803, 116 S.Ct. 1761, 1768, 135 L.Ed.2d 76, 87.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.