

1995

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### Recommended Citation

John E. Lynch Jr., *The Evidence Is Clear: A Tribute to Judge Manos*, 43 Clev. St. L. Rev. 1 (1995)  
*available at* <https://engagedscholarship.csuohio.edu/clevstlrev/vol43/iss1/3>

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# THE EVIDENCE IS CLEAR: A TRIBUTE TO JUDGE MANOS

JOHN E. LYNCH, JR.<sup>1</sup>

It is particularly fitting that United States District Judge John M. Manos be honored by Cleveland State University, Cleveland-Marshall College of Law in the naming of its evidence writing competition. No one who has been at sidebar in Judge Manos' courtroom could ever doubt his extraordinary command of the Rules of Evidence. There is more to his knowledge, however, than facility with the hearsay exceptions and the rules of expert testimony. Judge Manos is a student of all the rules and how their application impacts the conduct and outcome of each trial. For years Judge Manos could be seen nightly walking briskly through his neighborhood listening to his entertainment of choice: evidence lectures on tape. In matters of evidence, as in all aspects of trial practice, Judge Manos has for many years set a remarkable standard.

Judge Manos is uniformly respected and admired. Among his many accomplishments, he is a founding member of the Anthony J. Celebrezze Inn of Court, Inn XXII of the American Inns of Court Foundation. The Celebrezze Inn is dedicated to ethical legal practice and to the study of litigation issues using trial demonstrations and critiques. Through Judge Manos' expert guidance and seasoned knowledge, the Inn has flourished. Through his robust leadership, the various interests of civil and criminal litigators alike have been sustained over the years. His insights into the trial process are legendary among the Inn members.

Judge Manos is a genuine legal scholar, as his opinions issued during more than thirty years on the bench readily attest. All of his judgments are made with a firm mind and an even hand. Many of his opinions have achieved national significance. For example, his handling of the *Marathon Oil Co. v. Mobil Corp.*<sup>2</sup> and the *Hanna Mining Co. v. Norcen Energy Resources, Ltd.*<sup>3</sup> tender litigation earned Judge Manos national acclaim from his colleagues and from the business community.

Judge Manos has had exceptional influence on the criminal side of the docket as well. He tried the last federal murder case in Cleveland in 1979. He tried the first RICO conspiracy case in the Northern District of Ohio, crafting by hand from the statutes the complicated jury instructions because there were no applicable references available. Moreover, he presided over a celebrated twelve-week criminal trial which effectively put certain organized crime

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<sup>2</sup>530 F. Supp. 315 (N.D. Ohio), *aff'd*, 669 F.2d 378 (6th Cir. 1981), *cert. denied*, 455 U.S. 982 (1982).

<sup>3</sup>574 F. Supp. 1172 (N.D. Ohio 1982).

figures out of action in Cleveland. The jury verdicts on all seventy-seven counts of the indictment were affirmed on appeal. Those convicted were sentenced to life without parole by Judge Manos under the then new sentencing statutes.

The presence of Judge Manos on the federal bench here in Cleveland strengthens our great confidence in the courts as an institution and in the rule of law within our community. In large measure Judge Manos instills this confidence through his uniform application of the Rules of Evidence, assuring each litigant a fair trial by only competent evidence. There is no individual more dedicated to his community, to his family, to his colleagues, to his friends and to his heritage. He is a true student of life and a teacher of its lessons. His enormous self-discipline and enthusiasm continually inspire those around him. We are all grateful for the stellar example that he sets.