

IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

Sanaa Baze-Sif,	:	
Plaintiff-Appellee,	:	
v.	:	No. 14AP-434
Said Sif,	:	(C.P.C. No. 13DR-07-2661)
Defendant-Appellant.	:	(REGULAR CALENDAR)

D E C I S I O N

Rendered on August 5, 2014

Kelly M. Morgan, for appellee.

Bellinger & Donahue, and *Kelly M. Donahue*, for appellant.

ON MOTION TO DISMISS

TYACK, J.

{¶ 1} Sanaa Baze-Sif and Said Sif were married in Morocco in June 2007. They lived together in Dublin, Ohio. While supposedly just visiting in Morocco, Said served Sanaa divorce papers. Even though Sanaa was pregnant, the divorce proceedings continued to progress in Morocco.

{¶ 2} Sanaa returned to the United States and filed divorce papers here. Said responded with a motion to dismiss, claiming that a divorce had already been granted in Morocco so the parties were no longer married. Since the parties were already divorced in the country where their marriage occurred, Said asserted no divorce could occur in the United States.

{¶ 3} Counsel for Said pursued a motion to dismiss the United States divorce case. A judge of the Franklin County Court of Common Pleas, Division of Domestic

Relations and Juvenile Branch overruled the motion to dismiss in a detailed decision and entry. Counsel for Said has filed an appeal of that decision. Counsel for Sanaa has filed a motion asking that we dismiss the appeal.

{¶ 4} For us to have jurisdiction over an appeal, the trial court must have journalized a final appealable order as defined in R.C. 2505.02. We find no such final appealable order to have been journalized in this case. Because of the unique factual and procedural history in this case, the trial court refused to grant comity to the Moroccan divorce decree and refused to dismiss the divorce case. The refusal to dismiss a case between private parties is rarely a final appealable order. We do not find the trial court's refusal to dismiss the divorce case between Sanaa Baze-Sif and Said Sif to be an exception.

{¶ 5} The motion to dismiss this appeal is granted.

Motion to dismiss granted. Appeal dismissed.

CONNOR and DORRIAN, JJ., concur.
