

**COURT OF APPEALS**  
**ELEVENTH APPELLATE DISTRICT**  
**PORTAGE COUNTY, OHIO**

PORTAGE HOUSING II,	:	<b>MEMORANDUM OPINION</b>
	:	
Plaintiff-Appellee,	:	
	:	<b>CASE NO. 2004-P-0081</b>
- VS -	:	
	:	
RONALD CHANNEL,	:	
et al.,	:	
Defendants-Appellants.	:	

Civil appeal from the Portage County Municipal Court, Ravenna Division, Case No. R 2004 CVG 2481.

Judgment: Appeal Dismissed.

*Thomas R. Buchanan*, 206-B South Meridian Street, P.O. Box 1102, Ravenna, OH, 44266-1102 (For Plaintiff-Appellee).

*Ronald Channel*, pro se, 548 North Walnut Street, Ravenna, OH, 44266 (Defendant-Appellant).

*Suzanne Metros*, pro se, 548 North Walnut Street, Ravenna, OH, 44266 (Defendant-Appellant).

JUDITH A. CHRISTLEY, J.

{¶1} On September 3, 2004, appellants, Ronald Channel and Suzanne Metros, filed a notice of appeal from an August 19, 2004 judgment of the Portage County Municipal Court, Ravenna Division. That judgment stated, in its entirety, as follows: "The court, having reviewed the findings and recommendations of the magistrate,

approves and hereby orders, adjudges, and decrees that the same be entered of record and made an order of this court.”

{¶2} On October 6, 2004, appellee, Portage Housing II, filed a motion to dismiss this appeal on the basis that an entry of a court merely approving a magistrate’s report is not a final judgment. This court concurs. The mere adoption of a magistrate’s recommendation does not constitute a final appealable order. *In re Castrovince* (Aug. 16, 1996), 11th Dist. No. 96-P-0175, 1996 Ohio App. LEXIS 6226, at 3. Rather, the magistrate’s decision and the trial court’s judgment must be “separate and distinct instruments which are complete and independent of each other.” *Id.* at 4.

{¶3} Based upon the foregoing analysis, appellee’s motion to dismiss this appeal is hereby granted.

{¶4} Additionally, we note that, for future reference, appellant, Ronald Channel, as a lay person, is not permitted to file an appeal on behalf of Appellant, Suzanne Metros. He may represent himself, but since he is not an attorney, he may not represent anyone else in an appeal. *Vizzini v. Nichols*, 11th Dist. No. 2003-P-0085, 2003-Ohio-6225.

{¶5} Appeal dismissed.

DONALD R. FORD, P.J.

CYNTHIA WESTCOTT RICE, J.,

concur.