

**IN THE COURT OF APPEALS
ELEVENTH APPELLATE DISTRICT
GEAUGA COUNTY, OHIO**

JUDITH LEE RONYAK-BOGERT,	:	MEMORANDUM OPINION
Plaintiff-Appellee,	:	
- v -	:	CASE NO. 2005-G-2617
DONALD H. BOGERT,	:	
Defendant-Appellant.	:	

Civil Appeal from Court of Common Pleas, Case No. 04 D 000091.

Judgment: Appeal Dismissed.

David E. Lowe, Thrasher, Dinsmore & Dolan, 100 Seventh Avenue, #150, Chardon, OH 44024 (For Plaintiff-Appellee).

Daniel D. Wilt, 35000 Chardon Road, #125, Willoughby Hills, OH 44094 (For Defendant-Appellant).

DIANE V. GRENDELL, J.

{¶1} On February 2, 2005, appellant, Donald H. Bogert, filed a notice of appeal from the Geauga County Court of Common Pleas. In that judgment, the trial court overruled a motion for relief from judgment filed by appellant, and entered judgment in favor of appellee, Judith Lee Ronyak-Bogert, in the sum of \$8,649 as arrears for temporary spousal support. To date, a final decree of divorce has not been issued.

{¶2} Civ.R. 75(F) provides that until issues of property division, child support, spousal support, and allocation of parental rights and responsibilities have been addressed, there is no final appealable order in a divorce action. The only exception would be when the court includes Civ.R. 54(B) language and either the court lacks jurisdiction to determine such issues or, in a legal separation action, the division of the property of the parties would be inappropriate at that time.

{¶3} In the present case, the trial court has yet to issue a final divorce decree, and the only exception set forth in Civ.R. 75(F) is inapplicable.

{¶4} Based upon the foregoing analysis, this appeal is hereby sua sponte dismissed for lack of a final appealable order.

Appeal dismissed.

DONALD R. FORD, P. J.,
WILLIAM M. O'NEILL, J.,
concur.