IN THE COURT OF APPEALS

ELEVENTH APPELLATE DISTRICT

LAKE COUNTY, OHIO

IRM ZIEGLER,	:	**O P I N I O N**
Plaintiff-Appellant,	:	
- vs -	:	**CASE NO. 2014-L-067**
BURTON CAROL MANAGEMENT, LLC,	:	
Defendant-Appellee.	:	

Civil Appeal from the Mentor Municipal Court, Case No. 13 RES 1.

Judgment: Appeal dismissed.

Irm Ziegler, pro se, P.O. Box 601, Grand River, OH 44045 (Plaintiff-Appellant).

Michael D. Linn and *James J. Costello*, Powers Friedman Linn P.L.L., Four Commerce Park, Suite 180, 23240 Chagrin Boulevard, Cleveland, OH 44122 (For Defendant-Appellee).

THOMAS R. WRIGHT, J.

{¶1} Appellant, Irm Ziegler appeals the trial court's denial of her motion to vacate its judgment entry ordering the release of escrowed rent funds to appellee, Burton Carol Management, LLC. For the reasons to follow, the appeal is dismissed as moot.

{¶2} In a recent prior appeal, appellant appealed the judgment entry ordering release of the escrowed funds that is the center of the current case regarding vacation. *Ziegler v. Burton Carol Management, LLC,* 11th Dist. Lake No. 2014-L-022, 2014-Ohio-

4740. In the prior case, Ziegler paid her rent into escrow with the clerk of court. Thereafter, Burton filed an application for the release of funds. The motion was granted and thereafter the clerk released all funds to Burton. As the order appealed had already been satisfied, we dismissed the appeal as moot. *Id.*, ¶4.

{¶3} As the current appeal involves the trial court's overruling of a motion to vacate the already satisfied judgment, it is dismissed as moot. *Wiest v. Wiegele,* 170 Ohio App.3d 700, 2006-Ohio-5348, ¶14 (1st Dist.). The issues are moot by way of satisfaction because appellant is not entitled to return of the escrowed funds regardless of the outcome. *Id.* Therefore, deciding the assignment of error would be purely advisory. *Hagood v. Gail*, 105 Ohio App.3d 780, 785 (11th Dist.1995) citing *Blodgett v. Blodgett*, 49 Ohio St.3d 243 (1990).

{¶4} This appeal is dismissed as moot.

TIMOTHY P. CANNON, P.J.,

COLLEEN MARY O'TOOLE, J.,

concur.