

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

WILLIAM DAVID NELSON, SR.,	:	<b>MEMORANDUM OPINION</b>
Plaintiff-Appellant,	:	
- vs -	:	<b>CASE NO. 2020-L-108</b>
LISA DIMBERIO NELSON, et al.,	:	
Defendants-Appellees.	:	

Civil Appeal from the Lake County Court of Common Pleas, Domestic Relations Division, Case No. 15 DR 000030.

Judgment: Appeal dismissed.

*Susan T. Seacrist*, Thrasher, Dinsmore & Dolan, LPA, 100 7<sup>th</sup> Avenue, Suite 150, Chardon, OH 44024 and *Kevin R. McMillan*, McMillan & Sobel, LLC, 30195 Chagrin Boulevard, Pepper Pike, OH 44124 (For Plaintiff-Appellant).

*Sandra A. Dray*, Sandra A. Dray Co., L.P.A., 1111 Mentor Avenue, Mentor, OH 44077 (For Defendants-Appellees).

THOMAS R. WRIGHT, J.

{¶1} Appellant, William Nelson, Sr. appeals the trial court’s October 6, 2020 judgment ruling on objections to a magistrate’s decision and ordering counsel for appellee, Lisa Nelson, to prepare and submit a judgment entry conforming with the trial court’s orders and the parties’ agreements.

{¶2} We dismiss as the appealed judgment is not a final appealable order.

{¶3} A trial court’s judgment is immediately appealable if it constitutes a final order. Section 3(B)(2), Article IV of the Ohio Constitution; *Gale v. Gale*, 11th Dist. Lake No. 2019-L-093, 2019-Ohio-5055, ¶ 3. When a lower court’s order is not final, an appellate court has no jurisdiction and the appeal must be dismissed. *Gen. Acc. Ins. Co. v. Ins. of N. Am.*, 44 Ohio St.3d 17, 20 (1989). In the absence of other applicable authority conferring jurisdiction, as here, a judgment must satisfy R.C. 2505.02 to be final and appealable. See *Huffman v. Huffman*, 11th Dist. Lake No. 2015-L-130, 2016-Ohio-62, ¶ 4.

{¶4} R.C. 2505.02(B) defines a final order as one of the following:

{¶5} “(1) An order that affects a substantial right in an action that in effect determines the action and prevents a judgment;

{¶6} “(2) An order that affects a substantial right made in a special proceeding or upon a summary application in an action after judgment;

{¶7} “(3) An order that vacates or sets aside a judgment or grants a new trial;

{¶8} “(4) An order that grants or denies a provisional remedy and to which both of the following apply:

{¶9} “(a) The order in effect determines the action with respect to the provisional remedy and prevents a judgment in the action in favor of the appealing party with respect to the provisional remedy.

{¶10} “(b) The appealing party would not be afforded a meaningful or effective remedy by an appeal following final judgment as to all proceedings, issues, claims, and parties in the action.

{¶11} “(5) An order that determines that an action may or may not be maintained as a class action;

{¶12} “(6) An order determining the constitutionality of any changes to the Revised Code \* \* \*;

{¶13} “(7) An order in an appropriation proceeding \* \* \*.”

{¶14} The appealed judgment does not satisfy R.C. 2505.02(B). Accordingly, this appeal is dismissed, sua sponte, for lack of jurisdiction.

CYNTHIA WESTCOTT RICE, J.,

MATT LYNCH, J.,

concur.