

IN THE COURT OF APPEALS OF OHIO  
FOURTH APPELLATE DISTRICT  
ROSS COUNTY

Dennis M. DePugh,	:	
	:	
Defendant-Appellant,	:	Case No. 17CA3592
	:	
v.	:	
	:	
Ohio Department of Public Safety,	:	
	:	<u>DECISION AND JUDGMENT ENTRY</u>
Appellee.	:	
	:	<b>RELEASED: 06/07/2017</b>

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HARSHA, A.J.

{¶1} Appellant Dennis M. DePugh filed an appeal in this Court from a final order of suspension of his driving and vehicle registration privileges issued by the Ohio Department of Public Safety, Bureau of Motor Vehicles.<sup>1</sup>

{¶2} We do not have jurisdiction over DePugh’s appeal because R.C. 119.12 gives the courts of common pleas jurisdiction to hear appeals from the actions of administrative agencies. We **DISMISS** the appeal for lack of jurisdiction.

I.

{¶3} The Ohio Department of Public Safety, Bureau of Motor Vehicles issued a final notice of suspension to DePugh informing him that his driving and vehicles registration privileges were suspended because he did not provide proof of automobile insurance or other financial responsibility covered during a random sampling. The notice informed DePugh that the final order may be appealed to the court of common pleas of the county in which he resides as provided in R.C. 119.12.

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<sup>1</sup> Apparently, appellant also filed an appeal from this order in the Ross County Court of Common Pleas, see Case No. 17CI98. Our decision has no bearing on that matter.

{¶4} DePugh filed a notice of appeal directly in this Court.

II.

{¶5} The relevant provisions of R.C. 119.12 state:

(A)(1) Except as provided in division (A)(2) or (3) of this section, any party adversely affected by any order of an agency issued pursuant to an adjudication denying an applicant admission to an examination, or denying the issuance or renewal of a license or registration of a licensee, or revoking or suspending a license, or allowing the payment of a forfeiture under section 4301.252 of the Revised Code **may appeal from the order of the agency to the court of common pleas of the county in which the place of business of the licensee is located or the county in which the licensee is a resident.** (Emphasis added.)

R.C. 119.12.

{¶6} Under R.C. 119.12, only the courts of common pleas are vested with jurisdiction to hear appeals from the actions of administrative agencies. See *Carmack v. Caltrider*, 164 Ohio App.3d 76, 2005-Ohio-5575, 841 N.E.2d 347, ¶ 8 (2nd Dist.) (only court of common pleas has jurisdiction to hear motorist appeal of BMV's license suspension). Therefore, we lack jurisdiction to hear DePugh's appeal of the Bureau's suspension.

III.

{¶7} Under R.C. 119.12, we have no jurisdiction to hear an appeal from an agency's suspension order. We **DISMISS** this appeal. **IT IS SO ORDERED.** The clerk shall serve a copy of this entry on all counsel of record and all unrepresented parties at their last known addresses by ordinary mail.

Abele, J. and McFarland, J.: Concur.

**FOR THE COURT**

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William H. Harsha  
Administrative Judge