

COURT OF APPEALS
TUSCARAWAS COUNTY, OHIO
FIFTH APPELLATE DISTRICT

IN THE MATTER OF G.B., C.B., and L.B.	:	JUDGES:
	:	Hon. Sheila G. Farmer, P.J.
	:	Hon. John W. Wise, J.
	:	Hon. Craig R. Baldwin, J.
	:	
	:	
	:	Case No. 2015 AP 07 0035
	:	
	:	<u>OPINION</u>

CHARACTER OF PROCEEDING:	Appeal from the Tuscarawas County Court of Common Pleas, Juvenile Division, Case No. 14JN00093
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JUDGMENT:	Affirmed
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DATE OF JUDGMENT:	May 13, 2016
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APPEARANCES:

For Plaintiff-Appellee

KAREN ROSS QUINLAN
Tuscarawas County Job and Family Services
389 16th Street, SW.
New Philadelphia, Ohio 44663

For Defendants-Appellants
David and Diana Black

DAVID AND DIANA BLACK, pro se
40590 Twp. Rd. 64B
Dresden, Ohio 43821

Baldwin, J.

{¶1} Appellants David and Diana Black appeal a judgment of the Tuscarawas County Common Pleas Court, Juvenile Division, awarding legal custody of their children C.B. and L.B. to appellants' adult daughter and her husband.¹ Appellee is Tuscarawas County Job and Family Services.

{¶2} C.B. and L.B. were initially placed in foster care in March of 2014. Appellee became involved with the family upon the filing of an adult protective services case concerning the maternal grandmother of the children, who was living in the home. The children were eventually placed with their older sister and her husband. Following a hearing in the Tuscarawas County Common Pleas Court, Juvenile Division, the court found that the children were doing well in the home of their sister, and appellants had made virtually no progress on their case plan. The court therefore granted legal custody of the children to their sister and brother-in-law, and terminated appellee's involvement with the family.

{¶3} Appellants have not set forth assignments of error in their brief, although they have set forth an argument setting forth their reasons as to why the judgment of the court was in error. However, the claimed errors rely for their validity on the existence of a transcript of the proceedings in the trial court, which was not provided to this Court as required by App. R. 9(B). "When portions of the transcript necessary for resolution of assigned errors are omitted from the record, the reviewing court has nothing to pass upon

¹ G.B. turned eighteen years of age during the pendency of the case, and was therefore not subject to the legal custody order.

and thus, as to those assigned errors, the court has no choice but to presume the validity of the lower court's proceedings, and affirm.” *Knapp v. Edwards Laboratories*, 61 Ohio St.2d 197, 199, 400 N.E.2d 384, 385 (1980).

{¶4} We overrule appellants’ claimed errors as set forth in the argument section of their brief. The judgment of the Tuscarawas County Common Pleas Court, Juvenile Division, is affirmed. Costs are assessed to appellants.

By: Baldwin, J.

Farmer, P.J. and

Wise, J. concur.