

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
LUCAS COUNTY

Kenwood Gardens Association, LLC
dba Kenwood Garden Apartments

Appellee

Court of Appeals No. L-10-1315

Trial Court No. CVF-10-02683

v.

Cecelia P. Shorter and LaDonna Shorter

Appellants

DECISION AND JUDGMENT

Decided: September 22, 2011

* * * * *

Cecelia P. Shorter and LaDonna Shorter, pro se.

* * * * *

OSOWIK, P.J.

{¶ 1} This matter is pending before the court on appellants' application for reconsideration filed on August 29, 2011. Although not expressly captioned as such by appellants, this motion is deemed to be made pursuant to App.R. 26(A)(1) based upon appellants' representation to the court at the onset of the motion, "Appellants

respectfully [move] graciously upon the Appellate Court praying for reconsider-
ation...of its' [sic] Decision."

{¶ 2} On August 19, 2011, this court affirmed the trial court judgment of the Toledo Municipal Court in favor of appellee, finding appellants in breach of terms of the written lease agreement executed between the parties. As such, the judgment of the trial court in favor of appellee was affirmed.

{¶ 3} As stated in *Matthews v. Matthews* (1981), 5 Ohio App.3d 140, paragraph two of the syllabus:

{¶ 4} "The test generally applied upon the filing of a motion for reconsideration in the court of appeals is whether the motion calls to the attention of the court an obvious error in its decision or raises an issue for consideration that was either not considered at all or was not fully considered by the court when it should have been."

{¶ 5} In support of their application, appellants summarily set forth a litany of sweeping, subjective and disjointed conclusions, none of which negate the propriety of the August 19, 2011 judgment of this court. In support of their application, appellants proclaim, "DECISION is asserted to be in error, null as its main sole assignment of error to the Appellate Court was on case merits, violation of constitutional rights, collateral attack, res judicate[sic], collateral estoppel and Appellees not presenting any manifest weight of evidence before the trial court." Appellants ultimately conclude, "Appellant affirm [sic] she did not breach lease as stated in DECISION [¶ 4] and Judgment is contrary to laws and

against lease." We find that appellants have wholly failed to furnish a persuasive, relevant legal basis in support of their contentions.

{¶ 6} We have reviewed and considered the application for reconsideration and memorandum in support. We find that appellants have set forth no substantive grounds for relief. On consideration whereof, we find the application to be without merit. It is denied.

APPLICATION DENIED.

Peter M. Handwork, J.

JUDGE

Thomas J. Osowik, P.J.

JUDGE

Stephen A. Yarbrough, J.
CONCUR.

JUDGE

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at: http://www.sconet.state.oh.us/rod/newpdf/?source=6.
