

[Cite as *Immormino v. Abrams*, 2003-Ohio-3376.]

COURT OF APPEALS OF OHIO, EIGHTH DISTRICT
COUNTY OF CUYAHOGA
No. 81979

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| JOSEPH IMMORMINO, et al., | : | |
| Plaintiffs-Appellants | : | JOURNAL ENTRY |
| vs. | : | AND |
| IAN J. ABRAMS, et al., | : | OPINION |
| Defendants-Appellees | : | |
| | : | |
| DATE OF ANNOUNCEMENT OF DECISION | : | JUNE 26, 2003 |
| | : | |
| CHARACTER OF PROCEEDING | : | Civil appeal from Common Pleas Court Case No. CV-420763 |
| JUDGMENT | : | DISMISSED |
| DATE OF JOURNALIZATION | : | |
| APPEARANCES: | | |
| For Plaintiffs-Appellants: | | SCOTT J. DEAN ROBERT R. KRACHT ROBERT W. MCINTYRE McIntyre, Kahn & Kruse Co., LPA Galleria & Towers at Erievuew 1301 East Ninth Street #1200 Cleveland, Ohio 44114-1824 |
| For Defendants-Appellees: | | TYLER L. MATHEWS |

McDonald, Hopkins, Burke &
Haber
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600 Superior Ave., East
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ANNE L. KILBANE, J.:

{¶1} On May 8, 2003, this appeal was remanded because the judgment entry appealed from was not a final order. The remand order included instructions that the appeal could be reinstated within fourteen days upon entry of a final order. As of the date of this order, no further action has been taken on this appeal.

{¶2} Sua sponte, the appeal is dismissed for lack of a final appealable order and failure to timely enter a final order on remand.

Appeal dismissed.

It is ordered that appellee shall recover of appellant costs herein taxed.

The court finds that there were reasonable grounds for this appeal.

It is ordered that a special mandate issue out of this court directing the Cuyahoga County Common Pleas Court to carry this judgment into execution.

A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

PATRICIA A. BLACKMON, P.J., And

SEAN C. GALLAGHER, J., Concur

ANNE L. KILBANE
JUDGE

N.B. This entry is an announcement of the court's decision. See App.R. 22(B), 22(D) and 26(A); Loc. App.R.22. This decision will be journalized and will become the judgment and order of the court pursuant to App.R. 22(E), unless a motion for reconsideration with supporting brief, per App.R. 26(A) is filed within ten (10) days of the announcement of the court's decision. The time period for review by the Supreme Court of Ohio shall begin to run upon the journalization of this court's announcement of decision by the clerk per App.R. 22(E). See, also, S.Ct.Prac.R. II, Section 2(A)(1).