

[Cite as *Jones v. State*, 2009-Ohio-629.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 91359

RUSSELL JONES

PLAINTIFF-APPELLEE

vs.

STATE OF OHIO

DEFENDANT-APPELLANT

JUDGMENT:
DISMISSED

Civil Appeal from the
Cuyahoga County Court of Common Pleas
Case No. CV-648265

BEFORE: Sweeney, J., Blackmon, P.J., and Dyke, .J.

RELEASED: February 5, 2009

JOURNALIZED:

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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).

JAMES J. SWEENEY, .J.:

{¶ 1} Sua sponte, we dismiss the appeal for lack of a final appealable order. Claims remain pending. See Civ.R. 54(B) and R.C. 2505.02.

{¶ 2} Appeal dismissed

It is ordered that appellee recover of appellant his costs herein taxed. A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure..

JAMES J. SWEENEY, JUDGE

PATRICIA ANN BLACKMON, P.J., and
ANN DYKE, J., CONCUR.