

[Cite as *Hughes v. State*, 2009-Ohio-630.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
**No. 91363**

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**CHARLES D. HUGHES**

PLAINTIFF-APPELLEE

vs.

**STATE OF OHIO**

DEFENDANT-APPELLANT

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**JUDGMENT:  
DISMISSED**

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Civil Appeal from the  
Cuyahoga County Court of Common Pleas  
Case No. CV-647840

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

ANN DYKE, 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..

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ANN DYKE, JUDGE

PATRICIA ANN BLACKMON, P.J., and  
JAMES J. SWEENEY, J., CONCUR.