

**IN THE COURT OF APPEALS OF OHIO
ELEVENTH APPELLATE DISTRICT
LAKE COUNTY**

TAX EASE OH IV, L.L.C.,

Plaintiff-Appellee,

- vs -

KIMBERLY S. OSMIC a.k.a.

KIMBERLY OSMIC, et al.,

Defendants,

HUBERT N. OSMIC a.k.a.

HUGH OSMIC,

Defendant-Appellant.

CASE NO. 2025-L-117

Civil Appeal from the
Court of Common Pleas

Trial Court No. 2022 CF 000638

MEMORANDUM OPINION AND JUDGMENT ENTRY

Decided: November 10, 2025

Judgment: Appeal dismissed

Austin B. Barnes, III, Suzanne M. Godenswager, David T. Brady, and Gregory M. Wheeler, Sandhu Law Group, L.L.C., 1213 Prospect Avenue, Suite 300, Cleveland, OH 44115 (For Plaintiff-Appellee, Tax Ease OH IV, L.L.C.).

Hubert N. Osmic a.k.a. Hugh Osmic, pro se, 5209 Lakeside Avenue, Cleveland, OH 44114 (Defendant-Appellant).

MATT LYNCH, J.

{¶1} Appellant, Hubert N. Osmic a.k.a. Hugh Osmic, filed a pro se appeal from a September 11, 2025 Lake County Court of Common Pleas Magistrate’s Order, in which the magistrate ordered appellant’s multiple motions to dismiss for lack of personal jurisdiction to be addressed at an evidentiary hearing at a later date.

{¶2} This court may entertain only those appeals from final judgments or orders. *Noble v. Colwell*, 44 Ohio St.3d 92, 96 (1989). Under Section 3(B)(2), Article IV of the Ohio Constitution, an appellate court can immediately review a judgment of the trial court only if it constitutes a “final order” in the action. *Quail Point Condominium Owners Assn. v. Rogers*, 2024-Ohio-5770, ¶ 2 (11th Dist.). If the lower court’s order is not final, then this court does not have jurisdiction to review the case, and the appeal must be dismissed. *Gen. Acc. Ins. Co. v. Ins. Co. of N. Am.*, 44 Ohio St.3d 17, 20 (1989).

{¶3} R.C. 2505.02(B) defines a “final order” and sets forth seven categories of appealable judgments, and if the judgment of the trial court satisfies any of them, it will be deemed a “final order” and can be immediately appealed and reviewed. In this matter, the September 11, 2025 Magistrate’s Order being appealed does not fit within any of the categories for being a final order under R.C. 2505.02(B) and did not dispose of all claims.

{¶4} Generally, “a magistrate may enter orders without judicial approval if necessary to regulate the proceedings and if not dispositive of a claim or defense of a party.” See Civ.R. 53(D)(2)(a)(i). We have explained that although a magistrate’s order is effective without judicial approval, it is not “directly appealable.” *Quail Point* at ¶ 4. Hence, a magistrate’s order is simply interlocutory in nature. *Id.*

{¶5} Here, the September 11, 2025 Magistrate’s Order is an interlocutory order and is not final and appealable. This court does not have jurisdiction to hear this appeal. However, nothing is preventing appellant from obtaining effective relief through an appeal once the trial court has entered a final judgment in the action.

{¶6} Based upon the foregoing analysis, the magistrate’s order is not final and appealable, and this appeal is dismissed, sua sponte, for lack of jurisdiction.

JOHN J. EKLUND, J.,

SCOTT LYNCH, J.,

concur.

JUDGMENT ENTRY

For the reasons stated in the memorandum opinion of this court, it is ordered that this appeal is dismissed, sua sponte, for lack of jurisdiction.

Costs to be taxed against appellant.

JUDGE MATT LYNCH

JUDGE JOHN J. EKLUND,
concur

JUDGE SCOTT LYNCH,
concur

THIS DOCUMENT CONSTITUTES A FINAL JUDGMENT ENTRY
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A certified copy of this opinion and judgment entry shall constitute the mandate pursuant to Rule 27 of the Ohio Rules of Appellate Procedure.
