

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

In re D.H., S.S., T.H., R.S., M.H.,  
Z.M., M.N., Ar.B., Ak.B.

Court of Appeals No. L-22-1210  
L-23-1103  
L-23-1104  
L-23-1105  
L-23-1106

Trial Court No. 98007843  
00076877  
00079862  
14241608  
15251270

**DECISION AND JUDGMENT**

Decided: July 28, 2023

\* \* \* \* \*

Victoria Bailey, pro se.

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**OSOWIK, J.**

{¶ 1} In this consolidated matter, pro-se appellant-mother, V.B., appeals the July 29, 2022 judgments of the Lucas County Court of Common Pleas, Juvenile Division, denying her “Motion for Judgment Nunc Pro Tunc to Correct the Records and Vacate all

Judgments and Orders and to Be Seal” (sic.) simultaneously filed in five juvenile court cases.<sup>1</sup> For the reasons set forth below, we affirm the judgments of the juvenile court.

{¶ 2} By way of background, these five juvenile court cases date from 24 years ago when appellant-mother’s parental rights were terminated to the first of her nine children. Appellant-mother was represented by counsel throughout the various juvenile court proceedings. In 1999, the juvenile court adjudicated D.H., now an adult, a dependent and neglected child and awarded appellee, Lucas County Children Services, permanent custody of the child. On direct appeal this court affirmed the decisions of the juvenile court. *In re D.H.*, 6th Dist. Lucas No. L-99-1141, 2000 WL 262350 (Mar. 10, 2000).

{¶ 3} Then in 2016, the juvenile court awarded legal custody of three additional children, S.S., T.H., and R.S., each now adults, to appellant-mother. Also in 2016, the juvenile court adjudicated five additional children, M.H., Z.M., M.N., Ar.B., and Ak.B., neglected and dependent children and awarded appellee permanent custody of them. On direct appeal this court affirmed the decisions of the juvenile court. *In re S.S., et al*, 6th Dist. Lucas Nos. L-16-1234, L-16-1243, 2017-Ohio-4474.

{¶ 4} Then, on June 1, 2022, appellant filed her “Motion for Judgment Nunc Pro Tunc to Correct the Records and Vacate all Judgments and Orders and to be Seal” (sic.).

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<sup>1</sup> The five juvenile court case Nos. are 98-007843, 00-076877, 00-079862, 14-241608, and 15-251270.

{¶ 5} On July 29, 2022, the trial court denied her motions finding them to be essentially misguided and seeking a remedy not available, particularly by seeking a nunc pro tunc entry.

{¶ 6} Appellant-mother appealed the juvenile court's denial of her motions, and her appeals were assigned case Nos. L-22-1210, L-23-1103, L-23-1104, L-23-1105, and L-23-1106.

{¶ 7} Appellant-mother argues the following error for our review: "The trial court, Lucas County Juvenile Court, abused its discretion by allowing testimony and evidence to be put on the record by Lucas County Children Services by and through their caseworkers, employees, staff attorneys, GALS."

{¶ 8} Appellant-mother argues the juvenile court abused its discretion because appellee "falsified all of its complaints in each of the [five] cases" and, as a result, her nine children "have had to endure unnecessary and traumatic trauma at the hands of [appellee] and the children's lives have been forever changed." Among appellant-mother's allegations are appellee's failure, since 1996: to serve her with pleadings so that she would "know about any court cases to attend"; to offer her case plan services; to reunify her family; to appoint a qualified guardian ad litem; and to use her correct name in pleadings. Appellant-mother, citing to R.C. 2305.09(E),<sup>2</sup> argues her motion is timely. Appellant-mother further argues the juvenile court "was wrong and did error when [it]

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<sup>2</sup> R.C. 2305.09(E) states, "Except as provided for in [R.C. 2305.09(C)], an action for any of the following causes shall be brought within four years after the cause thereof accrued: \* \* \* (E) For relief on the grounds of a physical or regulatory taking of real property."

denied [her] request, because [it] had more than enough evidence to support [her] claims and because [it] made a choice to disregard all facts that were placed before [it] in error.” She concludes that she “strongly believes there are errors and fraud in this case and prays this court will also agree with the findings of facts that are stated throughout this case.”

{¶ 9} We have carefully reviewed appellant-mother’s brief and, although she is pro se, she must still follow the same rules and procedures as attorneys, and this court will not construct full-blown claims from her convoluted reasoning or poorly drafted arguments or unsupported brief. *Eagle Loan Co. of Ohio, Inc. v. Phoenix*, 6th Dist. Lucas No. L-18-1177, 2019-Ohio-2258, ¶ 8-9. We find her brief is “predominantly undecipherable.” *Kenwood Gardens Assn., L.L.C. v. Shorter*, 6th Dist. Lucas No. L-10-1315, 2011-Ohio-4135, ¶ 11.

{¶ 10} The juvenile court’s July 29, judgment entry states as follows:

After reviewing the record, the Court finds that [appellant-mother’s] motions are, again, misguided. In fact, the record is replete with [appellant-mother’s] filings, wherein she makes the same, or similar contentions regarding fraud by [appellee].<sup>3</sup> These motions are invariably denied, for good cause not shown; however, [appellant-mother] continues her campaign, regularly filing motions in several different cases. Her instant motions are misguided because issuing nunc pro tunc orders is the wrong remedy.

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<sup>3</sup> See *In re M.H.*, 6th Dist. Lucas No. L-18-1012, 2018-Ohio-3817.

{¶ 11} Citing to *In re Tyler C.*, 6th Dist. Lucas No. L-07-1159, 2008-Ohio-2207, ¶ 72, the juvenile court found that appellant-mother's motion for nunc pro tunc orders vacating the permanent custody decisions, "goes far beyond the correction of clerical errors. The Court reviewed the permanent custody orders and finds no error of law or abuse of discretion by the assigned jurists. The Court finds no instance of fraud by [appellee]." Inexplicably, in her drive to vacate these judgments, appellant-mother appears to include the judgments awarding her legal custody to three of her (now adult) children.

{¶ 12} A nunc pro tunc entry means "now for then," and its purpose is to record a prior, but unrecorded, act of the court that was actually taken. *In re Cook's Estate*, 19 Ohio St.2d 121, 127, 249 N.E.2d 799 (1969). Here, through nunc pro tunc entries, appellant-mother is not seeking to remedy the omission of decisions by the juvenile court up to 24 years ago; rather, she is improperly seeking new judgment entries from the juvenile court to vacate those long-ago decisions and to seal the records. *State ex rel. Phillips v. Indus. Commission of Ohio*, 116 Ohio St. 261, 264–65, 155 N.E. 798 (1927); *Reinbolt v. Reinbolt*, 112 Ohio St. 526, 147 N.E. 808 (1925), paragraphs one and two of the syllabus.

{¶ 13} Upon review of the record we find no abuse of discretion by the juvenile court when it denied appellant-mother's motions for nunc pro tunc orders to vacate all judgments and to seal the records. *See State ex rel. Cook v. Court of Common Pleas of Cuyahoga Cnty.*, 144 Ohio St. 461, 463, 59 N.E.2d 376 (1945).

{¶ 14} Accordingly, appellant-mother's assignment of error is not well-taken.

{¶ 15} The judgments of the Lucas County Court of Common Pleas, Juvenile Division, are affirmed. Appellant-mother is ordered to pay the costs of this appeal pursuant to App.R. 24.

Judgment affirmed.

A certified copy of this entry shall constitute the mandate pursuant to App.R. 27.  
*See also* 6th Dist.Loc.App.R. 4.

Thomas J. Osowik, J.

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JUDGE

Christine E. Mayle, J.

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JUDGE

Gene A. Zmuda, J.  
CONCUR.

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JUDGE

<p>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: <a href="http://www.supremecourt.ohio.gov/ROD/docs/">http://www.supremecourt.ohio.gov/ROD/docs/</a>.</p>
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