

**COURT OF APPEALS OF OHIO**

**EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA**

|                       |   |            |
|-----------------------|---|------------|
| JIHAD DUPUY,          | : |            |
|                       | : |            |
| Plaintiff-Appellant,  | : |            |
|                       | : | No. 116400 |
| v.                    | : |            |
|                       | : |            |
| THANH NGUYEN, ET AL., | : |            |
|                       | : |            |
| Defendants-Appellees. | : |            |

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**JOURNAL ENTRY AND OPINION**

**JUDGMENT: AFFIRMED**

**RELEASED AND JOURNALIZED: October 22, 2026**

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Civil Appeal from the Cuyahoga County Court of Common Pleas  
Case No. CV-25-121109

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***Appearances:***

Jihad DuPuy, *pro se*.

Charles Bennett, *for appellee*.

ANITA LASTER MAYS, J.:

{¶ 1} This cause came to be heard on the accelerated calendar pursuant to App.R. 11.1 and Loc.App.R. 11.1. Plaintiff-appellant Jihad DuPuy (“DuPuy”) appeals the trial court’s judgment granting summary judgment in favor of defendants-appellees Thanh Nguyen and Amber Nguyen (collectively, “Appellees”). After careful review, we affirm the trial court’s judgment.

## **I. Facts and Procedural History**

{¶ 2} DuPuy filed a civil action against Appellees in the Cuyahoga County Court of Common Pleas. The parties filed cross motions for summary judgment. On March 17, 2026, the trial court denied DuPuy's motions for summary judgment. On March 19, 2026, the trial court granted Appellees' motion for summary judgment, entered judgment in their favor, and denied the remaining motions as moot.

{¶ 3} DuPuy filed a notice of appeal on April 20, 2026. On June 4, 2026, he filed an appellate brief. This court struck the brief on June 8, 2026, because it omitted the sections required by App.R. 16(A), including a statement of the assignments of error and separate arguments supporting each assignment. The court granted DuPuy leave to file a corrected brief, directed him to the applicable rules, self-representation guide, and appellate-brief template, and advised him that the court could not address claims of error that were not separately argued.

{¶ 4} DuPuy filed an amended brief on June 12, 2026. The amended brief identifies the following twelve purported assignments of error:

Assignment of Error One: Sums of complaint pagination 4,5.

Assignment of Error Two: request for service sheriff service pagination 7.

Assignment of Error Three: sums complaint sheriff service to than Nguyen Broadmoor nails and spa pagination 12.

Assignment of Error Four: motion for judicial notice of related case records pagination 17.

Assignment of Error Five: discovery conference pagination 20.

Assignment of Error Six: proposed discovery plan pagination 22.

Assignment of Error Seven: notice of 24cvg01599 case docket pagination 29

Assignment of Error Eight: default judgment pagination 30.

Assignment of Error Nine: appellants motions for summary of judgment filed pagination 41.

Assignment of Error Ten: appellees Brief in opposition pagination 43.

Assignment of Error Eleven: reply brief pagination 47.

Assignment of error Twelve: appellees motion for summary judgment. pagination 62.

**{¶ 5}** The amended brief's law-and-argument section consists of four sentences. Those sentences refer generally to Civ.R. 12, 18, 26, and 36, but they do not correspond to the twelve purported assignments of error or explain how the trial court committed reversible error. Although the table of authorities lists two cases, neither case appears in the argument section, and the amended brief does not explain how either case applies to the judgment under review.

## **II. Law and Analysis**

**{¶ 6}** App.R. 16(A)(3) requires an appellant's brief to state each assignment of error and identify where the alleged error appears in the record. App.R. 16(A)(7) requires an argument addressing each assignment of error, the reasons supporting the appellant's position, and citations to the relevant authorities and parts of the record. Under App.R. 12(A)(2), this court may disregard an assignment of error that is not identified in the record or separately argued as App.R. 16(A) requires.

{¶ 7} Loc.App.R. 16(E) further provides that this court may strike a nonconforming brief and order the filing of an amended brief. An appellant's continued failure to conform may result in dismissal of the appeal. Here, this court afforded DuPuy an opportunity to cure the defects in his original brief and identified the information that the corrected brief was required to contain.

{¶ 8} DuPuy's pro se status does not excuse compliance with the appellate rules. Pro se litigants are held to the same standard as represented litigants. *Fleming v. Shelton*, 2020-Ohio-1387, ¶ 9 (8th Dist.), quoting *Bikkani v. Lee*, 2008-Ohio-3130, ¶ 29 (8th Dist.), citing *Kilroy v. B.H. Lakeshore Co.*, 111 Ohio App.3d 357, 363 (8th Dist. 1996).

{¶ 9} The amended brief does not satisfy App.R. 16(A)(3) or 16(A)(7). Its purported assignments of error identify documents, filings, or events, but do not state what ruling constituted error. The brief does not separately argue any assignment, identify the applicable standard of review, explain how the cited civil rules apply, or connect the alleged procedural events to the trial court's summary-judgment determination. The pagination references in the assignments and statement of facts do not substitute for legal argument establishing prejudicial error.

{¶ 10} An appellate court is not required to construct a party's arguments or search the record for a basis to reverse. *Lewis v. BMW of Westlake*, 2026-Ohio-1870, ¶ 12 (8th Dist.), citing *D.C. v. J.C.*, 2025-Ohio-3275, ¶ 37 (8th Dist.), and *In re Q.S.*, 2023-Ohio-712, ¶ 103 (8th Dist.). The burden rests on DuPuy to demonstrate error by developing a supported argument. His amended brief leaves this court to

determine what legal claims might correspond to the twelve listed items and how those claims might warrant reversal. We decline to do so.

{¶ 11} Appellees urge this court to dismiss the appeal. We instead exercise our discretion under App.R. 12(A)(2) to disregard DuPuy's purported assignments of error. *See Lewis* at ¶ 13. DuPuy's twelve assignments of error are overruled.

{¶ 12} Judgment affirmed.

It is ordered that appellees recover from appellant costs herein taxed.

The court finds there were reasonable grounds for this appeal.

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

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ANITA LASTER MAYS, JUDGE

SEAN C. GALLAGHER, P.J., and  
EILEEN A. GALLAGHER, J., CONCUR