

STATE OF OHIO)
)ss:
COUNTY OF LORAIN)

IN THE COURT OF APPEALS
NINTH JUDICIAL DISTRICT

ERICA COLLINS

C.A. No. 25CA012370

Appellee

v.

KORI CANTERBURY

APPEAL FROM JUDGMENT
ENTERED IN THE
COURT OF COMMON PLEAS
COUNTY OF LORAIN, OHIO
CASE No. 24MS093747

Appellant

DECISION AND JOURNAL ENTRY

Dated: October 5, 2026

STEVENSON, Judge.

{¶1} Defendant-Appellant Kori Canterbury appeals from the judgment of the Lorain County Domestic Relations Court that overruled Plaintiff-Appellee Erica Collins’ objection to the magistrate’s decision and expanded her grandparent visitation. For the reasons set forth below, this Court affirms.

I.

{¶2} Defendant-Appellant Kori Canterbury (“Mother”) and Defendant Cory Collins (“Father”) are the natural parents of the minor child, H.C., born in May 2014. Mother and Father were never married. Plaintiff-Appellee Erica Collins is H.C.’s Paternal Grandmother (“PGM”). PGM filed a complaint for grandparent visitation against Mother and Father in January 2024. The matter proceeded to a trial before a magistrate. PGM testified in her case in chief and presented the testimony of her fiancé James Spevock, her son Jacob Collins, and Mother’s former paramour Jason Murphy. Mother also testified in her case and presented the testimony of Father and Paternal

Grandfather Kevin Collins (“PGF”). Father did not present a separate case, nor did he cross-examine any of Mother’s or PGM’s witnesses.

{¶3} The court heard the following testimony and evidence. Mother and Father were very young when they had H.C. They lived together for the first four years of H.C.’s life. During H.C.’s early years, PGM and PGM’s ex-mother-in-law, Carol Pelfrey, known to everyone as “Meemaw,” took on the bulk of H.C.’s caregiving while Mother worked and “got [her] life together[.]” Father was admittedly not ready to provide care for H.C. PGM toggled with Meemaw in caring for H.C. and provided care for him one to two times per week.

{¶4} Approximately three and a half years after H.C. was born, Mother met Jason Murphy and they began living together. By this time, Father had exited Mother’s life and had little or no contact with H.C. Mother began caring for H.C. more independently at this time. Mother and Jason had a son together, T.M., who as of trial was five years old, and they all lived together for seven years. Jason participated in H.C.’s care and became a father figure to H.C. Jason and Mother broke up three months prior to trial but remained amicable. As of the trial, Jason was exercising non-court-ordered visits with T.M. and H.C. three days per week including overnights. Jason testified that Mother was a “fantastic mother” who tried her best to make sure H.C. visited with each of the relatives that wanted to see him as there were many people “pulling” for time with H.C. He characterized the situation as a “tug-of-war.” He further testified that PGM had been very involved with H.C. and attended many of his events and programs. He described PGM as the typical grandmother who enjoyed spoiling her grandchild with gifts and toys. In his opinion, H.C. did not want a court-ordered schedule and Mother was in the best position to make the decision as to when H.C. spent time with PGM. He had never known Mother to deny PGM visits until the litigation started.

{¶5} Over the past several years, Jacob Collins, H.C.’s paternal uncle, had been spending around three hours per week with H.C. According to Mother, the purpose of those visits was to provide H.C. with another male role model. However, Jacob’s visits ceased when the within action commenced. He currently resides with PGM. He described PGM’s relationship with H.C. as a close one and believed that she had been a positive influence. As of the trial, he and Father were estranged from one another due to Father evicting him from Father’s residence.

{¶6} James Spevock, PGM’s fiancé, testified that he sees H.C. at least six times a year and that he had never witnessed anything inappropriate from PGM. He testified to PGM’s involvement in H.C.’s life, noting that she provided him with clothing, snacks, and other items.

{¶7} PGM testified that she works part-time at the Cleveland Clinic as a medical assistant and also as a bartender and bookkeeper at the bowling alley that Mr. Spevock operates. She lives 10 minutes from Mother. She testified that in 2018, after Father and Mother’s relationship ended, Mother began limiting her access to H.C., only allowing H.C. to visit with her at Maternal Grandfather, Bob Canterbury’s (“MGF”) house. As a result, PGM hired an attorney to prepare a lawsuit for grandparent visitation. However, she and Mother resolved their differences and PGM’s visits with H.C. resumed. PGM continued to have regular visits with H.C. one to two times a month and at other times such as holidays and special events.

{¶8} According to PGM, a dispute arose between her and Mother in December 2023 regarding New Years’ Day 2024. PGM filed the underlying suit for visitation a week and a half later. In her complaint she requested to have visitation two weekends per month, holiday time, grandparents’ day, one mid-week visit, and two weeks every summer. The main reason she requested court-ordered time with H.C. is so that she could make definite plans and purchase tickets to events, such as plays and sporting events, well in advance of the visit. According to

PGM, in the past, Mother was frequently delayed in responding to her requests for visits and it was difficult to make plans. She stated that she would be willing to share her visitation time with Jacob Collins as he no longer gets regular visits with H.C.

{¶9} Father testified that he had recently reconnected with H.C. through a video game called Fortnite that they play together. As of trial, he had no court-ordered visitation. He and Mother had recently discussed allowing him to see H.C. during the holidays when PGF has visits. Father testified that he would not be willing to share any of his parenting time with Jacob or PGM. He and PGM have been estranged since 2022 following an argument and he affirmed Jacob's story that his relationship with Jacob deteriorated over the eviction. He did not believe that a court order was necessary for PGM to maintain a relationship with H.C. and felt that Mother should make that decision.

{¶10} Mother, H.C., and T.M. reside with MGF. Mother testified that she is opposed to court-ordered visits because she already has to accommodate many relatives' requests to see H.C., and in addition to H.C.'s friends and extracurricular activities, it's asking too much for her to block off designated time for PGM due to the competing demands for H.C.'s time. According to Mother, as H.C. has grown older, he has established friendships with other kids at school and on his sports teams and does not want scheduled time with PGM to interfere with those relationships. Mother further testified that H.C. and T.M. are close and that it's important to her that the two brothers continue to spend weekends together. Mother testified that PGM is not willing to take T.M. during her visits with H.C. because PGM believes H.C. needs alone time, away from T.M., and PGM also wants her personal time with H.C. For all these reasons, Mother does not believe that a court-ordered schedule is in H.C.'s best interest. Mother does not disagree that PGM and H.C. have a strong bond, that H.C. wants to visit with PGM, or that PGM is appropriate and loves H.C. She

acknowledged that PGM would be willing to take H.C. to any extracurricular activities that are scheduled during her visitation.

{¶11} PGF testified that he sees H.C. two to three times each month and takes H.C. camping, to amusement parks, and to other activities, often with T.M. as well. Meemaw passed away shortly before the trial. It was undisputed that her death created more openings in H.C.'s schedule as she was a significant person in H.C.'s life who enjoyed regular visits with him.

{¶12} After the hearing, the magistrate conducted an in-camera interview with H.C. to determine his wishes and concerns. The magistrate issued a decision and determined, upon reviewing the best interest factors set forth in R.C. 3109.051(D), that it was in H.C.'s best interest that PGM have some designated visitation time. The magistrate ordered that PGM have visitation with H.C. the third Sunday of each month from 12:00 pm to 5:00 p.m. and at other times as the parties can agree.

{¶13} PGM timely objected to the magistrate's decision, arguing that her visitation should be expanded beyond what the magistrate ordered to Friday from 5:00 p.m. to Sunday at 10:00 a.m. Mother did not object to the magistrate's decision. However, Mother opposed PGM's objection, arguing in her brief in opposition that PGM's objection should be overruled because the parents' wishes were not taken into account as required under R.C. 3109.051(D), and both parents agreed that PGM should not have any type of court-ordered visitation with H.C.

{¶14} A hearing on PGM's objections took place in September 2025 and the court heard oral arguments from both counsel. PGM argued that the weight of the evidence showed that historically she had a minimum of one weekend per month with H.C., sometimes two, and that her visitation should be expanded accordingly. Mother's counsel reiterated the argument advanced in her brief in opposition that the magistrate's decision did not give deference to the parents' wishes,

stating that “mother and father were clear on the record that they thought the mother needed to make the decisions on whether this child should go [to PGM’s].” However, in response to the court’s inquiry as to whether Mother had objected to the magistrate’s decision, Mother’s counsel responded, “[n]o your Honor, we left it as it was” and “[w]e were fine with the decision of the Court[,]” meaning presumably that Mother had no problem with the magistrate’s decision that granted PGM five hours of visitation monthly. The court stated several times during the hearing that it had read some of the transcript of the hearing before the magistrate and would read all of it before making a final decision. The court did not conduct another in camera interview.

{¶15} In October 2025, the trial court issued its final Judgment Entry. The court found, after reviewing the transcript, PGM’s objection, and Mother’s response, that the magistrate’s decision was supported by the evidence and was not an abuse of discretion. The court noted that the magistrate “considered the parents’ wishes” and “gave [those wishes] special weight” despite “not us[ing] the words ‘special weight[.]’” The court overruled PGM’s objection but found that it was in H.C.’s best interest to modify his visitation with PGM to the third weekend of every month from Friday at 6:00 p.m. to Sunday at 10:00 a.m.

{¶16} Mother timely appeals and advances three assignments of error for our review. Mother’s second and third assignments of error will be addressed in a consolidated fashion for ease of analysis.

II.

ASSIGNMENT OF ERROR NO. I:

THE TRIAL COURT ERRED AND ABUSED ITS DISCRETION BY MATERIALLY MODIFYING THE MAGISTRATE’S DECISION WITHOUT CONDUCTING AN INDEPENDENT REVIEW OF THE RECORD AND BY IMPROPERLY SUGGESTING WAIVER UNDER CIV.R. 53[.]

{¶17} A trial court reviews the magistrate’s decision under a de novo standard of review, which is independent and without deference to the magistrate’s determination. *Li v. Du*, 2022-Ohio-917, ¶ 26 (9th Dist.); *Sheehan v. Sheehan*, 2020-Ohio-5300, ¶ 11 (3d Dist.); Civ.R. 53(D)(4)(d) (“[i]n ruling on objections, the court shall undertake an independent review as to the objected matters to ascertain that the magistrate has properly determined the factual issues and appropriately applied the law.”). Civ.R. 53(D)(4)(b) permits the trial court to “adopt or reject a magistrate’s decision in whole or in part, with or without modification.” Thus, Civ.R. 53(D)(4) plainly permits a modification of the magistrate’s decision based on the trial court’s own review and determination. As applied to this case, that means that the trial court was permitted to independently determine a reasonable visitation schedule for H.C. and PGM and was not required to give deference to the schedule set by the magistrate.

{¶18} “This Court reviews a trial court's action with respect to a magistrate's decision for an abuse of discretion.” *Tabatabai v. Tabatabai*, 2009-Ohio-3139, ¶ 17 (9th Dist.). “Under this standard, we must determine whether the trial court's decision was arbitrary, unreasonable, or unconscionable—not merely an error of law or judgment.” *Id.*, citing *Blakemore v. Blakemore*, 5 Ohio St.3d 217, 219 (1983). When applying the abuse of discretion standard, this Court may not substitute its judgment for that of the trial court. *Pons v. Ohio State Med. Bd.*, 66 Ohio St.3d 619, 621 (1993). “[T]he standards for appellate review do not apply to the court's acceptance or rejection of the magistrate's findings or proposed decision.” *J.P. v. T.H.*, 2016-Ohio-243, ¶ 28 (9th Dist.), at ¶ 28, citing *Mealey v. Mealey*, 1996 WL 233491, *2 (9th Dist. May 8, 1996). Rather, the proper inquiry is whether the trial court abused its discretion in its ruling on PGM’s objections to the magistrate's decision. *J.P.* at ¶ 28; *Wilson v. Wilson*, 2008-Ohio-6431, ¶ 12 (9th Dist.).

{¶19} Furthermore, our review of the trial court's judgment must be guided by the following:

An appellate court reviewing a lower court's judgment indulges in a presumption of regularity of the proceedings below. Appellate courts thus *presume* that a trial court conducted an independent analysis in reviewing a magistrate's decision in accordance with Civ.R. 53(D)(4)(d). Accordingly, a party asserting error bears the burden of affirmatively demonstrating the trial court's failure to perform its . . . duty of independent analysis. An affirmative duty requires more than a mere inference, it requires appellant to provide the reviewing court with facts to rebut our general presumption.

(Emphasis added.) (Internal quotations and citations omitted.) *Li*, 2022-Ohio-917, at ¶ 26 (9th Dist.). Mother has not met this burden.

{¶20} Mother argues that the trial court did not conduct an independent review of the record. However, the trial court expressly stated in its judgment entry that it reviewed the transcript and evidence adduced at the hearing, PGM's objection, and the arguments of counsel prior to making its decision. Notwithstanding those express statements, Mother has not provided specific facts to rebut the general presumption that the trial court conducted an independent analysis and failed to perform its duty. Mother points to the trial court's statements during the objection hearing indicating that it made a preliminary determination that PGM would be granted a court-ordered schedule based on what it had read so far. Mother argues that those statements are evidence that the court prejudged the case without reviewing the full transcript of the hearing before the magistrate. However, as previously noted, the trial court repeatedly declared that it would not make a final decision until it reviewed the entirety of the record below, which it promised to do, keeping in mind the parents' wishes and balancing those wishes against the best interest of H.C. As set forth in its judgment entry, the court expressly stated that it reviewed the transcript. Mother has not met her burden of rebutting the presumption that the court conducted the required independent analysis.

{¶21} Mother also argues that the court improperly suggested waiver because her brief in opposition to PGM’s objection was sufficient to preserve her issues with the magistrate’s decision for appellate review. This argument will be addressed under our analysis of Mother’s third assignment of error.

{¶22} Accordingly, we disagree with Mother that the trial court abused its discretion by failing to conduct an independent review in its determination of PGM’s objection to the magistrate’s decision. Mother’s first assignment of error is overruled.

ASSIGNMENT OF ERROR NO. III

THE TRIAL COURT’S EXPANSION OF VISITATION AMOUNTS TO AN ABUSE OF DISCRETION AND PLAIN ERROR WHERE THE TRIAL COURT EXPANDED VISITATION WITHOUT REGARD FOR THE PARENTS’ WISHES[.]

{¶23} Before addressing Mother’s third assignment of error, we note as a threshold matter that she did not object to the magistrate’s decision granting PGM visitation five hours once per month on Sundays. As previously established, Mother’s counsel stated on the record at the objection hearing that Mother agreed with that decision. When a party fails to raise an argument in an objection to a magistrate’s decision it may not be raised for the first time on appeal. *Varner v. Varner*, 2007-Ohio-675, ¶ 22 (9th Dist.); Civ.R. 53(D)(3)(b)(iv) (“[e]xcept for a claim of plain error, a party shall not assign as error on appeal the court’s adoption of any factual finding or legal conclusion . . . unless the party has objected to that finding or conclusion . . .”). Thus, for purposes of appellate review, the only argument that Mother has preserved, absent plain error, is to the expansion of PGM’s visitation beyond what the magistrate ordered, which she challenges in her second assignment of error. Mother argues plain error here, acknowledging that she did not object to the magistrate’s decision, and noting that the plain error doctrine applies in civil cases. *See Goldfuss v. Davidson*, 79 Ohio St.3d 116, 121 (1997) (Supreme Court of Ohio has “long

recognized, in civil as well as criminal cases, that failure to timely advise a trial court of possible error . . . results in a waiver of the issue for purposes of appeal.”).

{¶24} In *Goldfuss*, the Supreme Court of Ohio cautioned that:

in appeals of civil cases, the plain error doctrine is not favored and may be applied only in the extremely rare case involving exceptional circumstances where error, to which no objection was made at the trial court, seriously affects the basic fairness, integrity, or public reputation of the judicial process, thereby challenging the legitimacy of the underlying judicial process itself.

Id. at 122. Mother argues that this is such a case. Her position is that the trial court’s departure from the wishes of H.C.’s parents in awarding scheduled visitation with PGM without a finding of parental unfitness, if left uncorrected, “would materially undermine public confidence in the judicial process and the constitutional protections afforded fit parents.” She further argues that the expanded visitation order “imposed a dramatically broader visitation schedule of its own design.”

{¶25} The Supreme Court of the United States has repeatedly “recognized the fundamental right of parents to make decisions concerning the care, custody, and control of their children.” *Troxel v. Granville*, 530 U.S. 57, 66 (2000). “A presumption exists that fit parents determine the best interests of their children.” *In re K.M.-B.*, 2015-Ohio-4626, ¶ 43 (6th Dist.). The burden of establishing that grandparent visitation serves a child’s best interests rests squarely on the grandparent seeking visitation. *Id.*

{¶26} In determining whether to grant visitation rights to a grandparent, the court shall consider the sixteen factors set forth in R.C. 3109.051(D). One of the factors listed in R.C. 3109.051(D) is “the wishes and concerns of the child’s parents, as expressed by them to the court[.]” R.C. 3109.051(D)(15). In *Harrold v. Collier*, 2005-Ohio-5334, the Ohio Supreme Court held that consideration of the parents’ wishes is mandatory, and that, in order to protect a parent’s

due process rights, the “trial court must give special weight to that factor in making its visitation determination[.]” *Id.* at ¶ 42.

{¶27} This Court has expounded on the meaning of “special weight” as follows:

Under Harrold, the fact that a trial court must give “special weight” to parents’ wishes does not mean that it must give them greater weight. The Ohio Supreme Court explained that the special weight required to be given to parents’ wishes and concerns is addressed by Section 3109.051(D)(15), which “explicitly identifies the parents’ wishes regarding the requested visitation or companionship as a factor that must be considered[.]” Id. at ¶ 43. Although acknowledging that the statute lists 15 other factors that the trial court must also consider, the Court determined that this did not minimize the parental-wishes factor. Instead, the Court concluded that “Ohio’s nonparental-visitation statutes not only allow the trial court to afford parental decisions the requisite special weight, but they also allow the court to take into consideration the best interest of the child and balance that interest against the parent’s desires.” Id.

(Emphasis added.) *Hibben v. McGuire*, 2022-Ohio-3598, ¶ 5 (9th Dist.). Thus, the statutory requirement for considering the parents’ wishes is not a wholesale “rubber stamp” of their wishes. Rather, while the wishes of the parents are a factor that must be considered, those wishes must be weighed against the child’s best interest. *Id.* We also said that “[a] court does not have to use the words ‘special weight’ in its decision.” *Id.*, citing *Harrold* at ¶ 45.

{¶28} During the objection hearing, the trial court expressly acknowledged the governing law, stating that “I definitely think [the parents] have a paramount right to decide what happens to your child and *I give that special weight*, but I think there is also something to be said for best interest here.” (Emphasis added.) The court further recognized that this standard presents “high hurdles” for grandparents. Regarding PGM, the trial court noted that she took full-time care of H.C. during his early years, was present for his birth, had regular monthly visits prior to the litigation, and thus, deserved to have priority over the others vying for companionship time, including Father, who had yet to file for parental rights. Therefore, the court clearly considered the wishes of the parents and gave it “special weight” as it was required to do. However, upon

considering those wishes, it determined that they were not sincere and did not outweigh the fact that court-ordered visitation with PGM was in H.C.'s best interest. Simply because the court failed to follow the parents' wishes does not mean that it did not consider them as Mother alleges. Accordingly, regardless of whether the standard of review is abuse of discretion or plain error, the trial court considered and gave weight to the parents' wishes and thus did not err under either standard.

{¶29} Mother also challenges the trial court's conclusion that the magistrate's decision was well-supported by the evidence and gave "special weight" to the parents' wishes even though the magistrate did not use the terms "special weight." Mother's argument seems to focus on whether the magistrate erred in reaching his decision rather than on whether the trial court erred in ruling on PGM's objections. As previously noted, the question on appeal is the trial court's decision on the objection and not the basis of the magistrate's decision. Furthermore, as previously established, "[a] court does not have to use the words 'special weight' in its decision." *Hibben* at ¶ 5, citing *Harrold* at ¶ 45. Even if Mother could challenge the magistrate's weighing of the parent's wishes in this appeal, the trial court, in reviewing the record, determined that the magistrate did take the parents' wishes into consideration and this conclusion is supported by the express language in the magistrate's decision. Regarding Father, the magistrate stated that "[h]e does not support his [m]other's request for Court ordered visitation. He does not want his mother taking away from his time with his son." Regarding Mother, the magistrate stated that "[s]he does not believe Court ordered visitations are in the best interest of her son." Thus, the magistrate clearly considered the wishes of the parents as he was required to do. Therefore, the trial court did not err in concluding that the magistrate did so.

{¶30} Mother further challenges the court’s judgment entry as not containing any independent analysis or explanation as to why it expanded PGM’s visitation. That issue was discussed in our analysis under Mother’s first assignment of error.

{¶31} Mother’s third assignment of error is overruled.

ASSIGNMENT OF ERROR NO. II:

**THE TRIAL COURT ERRED AND ABUSED ITS DISCRETION BY
EXPANDING PATERNAL GRANDMOTHER’S VISITATION
CONTRARY TO THE EVIDENCE[.]**

{¶32} Turning to Mother’s second assignment of error, Mother alleges that the visitation schedule imposed by the trial court is not supported by the record and constitutes an abuse of discretion. Mother maintains that the evidence relevant to the statutory best-interest factors weighed against any expansion of visitation. Specifically, Mother argues that the trial court’s order departs materially from H.C.’s history of interaction with PGM; that the trial court did not analyze how removing H.C. from his home life for two days per month would affect his scheduled activities or social life; that the trial court did not reassess H.C.’s wishes; that the weekend visit removes H.C. from his sibling T.M. during prime family time; that Mother has no history of preventing PGM from seeing H.C.; and that PGM’s conduct in involving H.C. in the litigation shows poor boundaries and an effort to insert herself into parental decision-making. We incorporate the abuse of discretion standard recited above.

{¶33} The question is not whether the trial court analyzed every best interest factor set forth in R.C. 3109.051(D). “A trial court need not make explicit reference to these factors provided that it is apparent from the record that the factors were considered.” *Pirke v. Pirke*, 2014-Ohio-4327, ¶ 9 (9th Dist.). The court stated in its judgment entry overruling PGM’s objections and making the modifications to her visitation schedule that it reviewed the transcript, the objections

and response, and considered “the child’s best interest[.]” The court is presumed to know the law and follow it. *State v. Dunlap*, 2026-Ohio-1411, ¶ 45 (9th Dist.). Therefore, the court in this case was presumed to know and apply the R.C. 3109.051(D) best interest factors when it considered H.C.’s best interest.

{¶34} All parties and witnesses agreed that PGM played a significant role in H.C.’s life. For the first four years of his life, she was one of two women who provided the primary caregiving responsibilities for H.C. while Mother took time to grow up. In the years that followed, even after Jason Murphy came into Mother’s life, PGM continued to have regular visits with H.C. and retained a strong, loving bond, providing him with necessities and shared experiences. Prior to the litigation, PGM was enjoying one to two overnights per month and other times as could be arranged. However, as the trial court noted, as of the objection hearing in September 2025, PGM had not seen H.C. since the commencement of the litigation in January 2024, meaning that one year and nine months had elapsed without PGM having any contact with H.C. Similarly, Jacob Collins had not been permitted to have weekly visits with H.C. since the commencement of the litigation. PGM’s testimony was that she would share her visitation time with Jacob. Therefore, contrary to Mother’s allegation, the expanded visits would not be materially different from what PGM had historically enjoyed since she would also be sharing her time with Jacob.

{¶35} On the other hand, Mother and H.C. currently live with MGF. Therefore, MGF has the benefit of daily contact with H.C. PGF also sees H.C. on a regular basis, two to three times per month. Thus, the court’s ordered schedule gives PGM contact with H.C. that is consistent with what his other grandparents enjoy.

{¶36} Jason Murphy, Mother’s former paramour, who is not biologically related to Mother, has three overnights with both H.C. and T.M. That also means H.C. sees his half-brother

at least three nights per week. Even Mother agreed that H.C. needs some alone time. Furthermore, everyone agreed that Meemaw's death opened up H.C.'s availability for visitation with other relatives. Moreover, as PGM stressed, having a consistent schedule will allow her to plan events and experiences with H.C.

{¶37} Lastly, PGM testified that she works at the bowling alley on Sundays from 12-8 pm between October and May. Therefore, the magistrate's visitation schedule conflicted with PGM's work and would have resulted in no actual visitation with H.C. for part of the year. The trial court's modification accommodates PGM's work schedule. PGM also agreed to be flexible and take H.C. to any activities that take place during her visitation time. Mother does not allege that PGM would not do so.

{¶38} Based on the foregoing record evidence, the trial court's visitation schedule is well-supported by the record and does not constitute an abuse of discretion. Mother's second assignment of error is overruled.

III.

{¶39} Mother's assignments of error are overruled. The judgment of the Lorain County Domestic Relations Court is affirmed.

Judgment affirmed.

There were reasonable grounds for this appeal.

We order that a special mandate issue out of this Court, directing the Court of Common Pleas, County of Lorain, State of Ohio, to carry this judgment into execution. A certified copy of this journal entry shall constitute the mandate, pursuant to App.R. 27.

Immediately upon the filing hereof, this document shall constitute the journal entry of judgment, and it shall be file stamped by the Clerk of the Court of Appeals at which time the period for review shall begin to run. App.R. 22(C). The Clerk of the Court of Appeals is instructed to mail a notice of entry of this judgment to the parties and to make a notation of the mailing in the docket, pursuant to App.R. 30.

Costs taxed to Appellant.

SCOT STEVENSON
FOR THE COURT

FLAGG LANZINGER, P. J.
SUTTON, J.
CONCUR.

APPEARANCES:

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