

[Cite as *Curie v. Curie*, 2004-Ohio-3682.]

**COURT OF APPEALS
ELEVENTH DISTRICT
ASHTABULA COUNTY, OHIO**

PAUL E. CURIE,

MEMORANDUM OPINION

Plaintiff-Appellee,

- vs -

SHANNA J. CURIE,

Defendant-Appellant.

CHARACTER OF PROCEEDINGS: Civil Appeal from the
Court of Common Pleas
Case No. 1997 DR 385

JUDGMENT: Appeal dismissed.

ATTY. JAMES W. REARDON
100 Parker Court
Chardon, OH 44024

ATTY. MALCOLM S. DOUGLAS
4920 State Road #101
Ashtabula, OH 44004

(For Plaintiff-Appellee)

(For Defendant-Appellant)

FORD, P.J.

{¶1} On July 6, 2004, appellant filed a Notice of Appeal appeal from a June 29, 2004 judgment entry of the Ashtabula County Court of Common Pleas. In this

judgment, the trial court ordered that “Defendant Shanna J. Dodd’s Motion to Dismiss for Lack of Jurisdiction is DENIED and the matter is set for a hearing on all pending motions on July 8, 2004 at 2:00 p.m.”

{¶2} For this court to have jurisdiction, the appealed judgment must be a final appealable order pursuant to R.C. 2505.02. Ohio courts have held that the denial of a motion to dismiss for lack of jurisdiction is not a final appealable order because the underlying reasons for the motion remain undisturbed until final judgment, which would permit an appeal to be sought after disposition of the entire case. *State ex rel. Seaton v. Holmes*, 2003-Ohio-5897, 100 Ohio St.3d 265; *Haskins v. Haskins* (1995), 104 Ohio App.3d 58; *Lonigro v. Lonigro* (1989), 55 Ohio App.3d 30.

{¶3} For the foregoing reasons, this Court lacks jurisdiction to consider this appeal pursuant to R.C. 2505.02.

Appeal dismissed.

PRESIDING JUDGE DONALD R. FORD

JUDITH A. CHRISTLEY, J.

CYNTHIA WESTCOTT RICE, J.,

concur.