

**THE COURT OF APPEALS
ELEVENTH APPELLATE DISTRICT
TRUMBULL COUNTY, OHIO**

DELORES KARNOFEL, et al.,	:	MEMORANDUM OPINION
Plaintiffs-Appellants,	:	
- vs -	:	CASE NO. 2009-T-0086
MARSHA A. MONTGOMERY, et al.,	:	
Defendants-Appellees.	:	

Civil Appeal from the Court of Common Pleas, Case No. 2009 IR 236.

Judgment: Appeal dismissed.

Delores Karnofel and Ann Karnofel, pro se, 1528 Greenwood Avenue, Girard, OH 44420 (Plaintiffs-Appellants).

Marsha A. Montgomery and Thomas Montgomery, pro se, 128 Sayers Street, Niles, OH 44446 (Defendants-Appellees).

TIMOTHY P. CANNON, J.

{¶1} On August 28, 2009, appellant, Delores Karnofel, filed a notice of appeal on her behalf and on behalf of Ann Karnofel. She is appealing a July 30, 2009 entry of the Trumbull County Court of Common Pleas, which rejected certain defective documents.

{¶2} In the July 30, 2009 judgment entry, the trial court indicated that the clerk of courts was in receipt of certain documents. In that entry, the trial court further stated

that Delores Karnofel was attempting to file these documents on behalf of herself and Ann Karnofel, which the trial court said constituted “the unauthorized practice of law since Delores Karnofel is not a licensed, registered attorney in good standing with the State of Ohio.” The trial court ordered that it could not accept the documents and rejected the same. The trial court further directed Delores Karnofel to cure the defect in the documents prior to any future filings with the court.

{¶3} According to Section 3(B)(2), Article IV of the Ohio Constitution, a judgment of a trial court can be immediately reviewed by an appellate court only if it constitutes a “final order” in the action. *Germ v. Fuerst*, 11th Dist. No. 2003-L-116, 2003-Ohio-6241, ¶3. Pursuant to R.C. 2505.02(B), there are five categories of a “final order,” and if a trial court’s judgment satisfies any of them, it will be considered a “final order” which can be immediately appealed and reviewed by a court of appeals.

{¶4} R.C. 2505.02(B) states that:

{¶5} “An order is a final order that may be reviewed, affirmed, modified, or reversed, with or without retrial, when it is one of the following:

{¶6} “(1) An order that affects a substantial right in an action that in effect determines the action and prevents a judgment;

{¶7} “(2) An order that affects a substantial right made in a special proceeding or upon a summary application in an action after judgment;

{¶8} “(3) An order that vacates or sets aside a judgment or grants a new trial;

{¶9} “(4) An order that grants or denies a provisional remedy and to which both of the following apply:

{¶10} “(a) The order in effect determines the action with respect to the provisional remedy and prevents a judgment in the action in favor of the appealing party with respect to the provisional remedy.

{¶11} “(b) The appealing party would not be afforded a meaningful or effective remedy by an appeal following final judgment as to all proceedings, issues, claims, and parties in the action.

{¶12} “(5) An order that determines that an action may or may not be maintained as a class action;

{¶13} (6) An order determining the constitutionality of any changes to the Revised Code ***.”

{¶14} In the matter at hand, the trial court’s order does not fit within any of the categories of R.C. 2505.02. The trial court merely rejected certain documents that Delores was attempting to file and directed her to cure the defect prior to any future filings. Therefore, at this point, the order appealed from is simply an interlocutory order. It is not a final order, and Delores Karnofel and Ann Karnofel will have a meaningful and effective remedy by way of an appeal once a final judgment is reached as to all claims and parties when the case is decided and/or dismissed in the trial court.

{¶15} Furthermore, this court notes that Delores Karnofel cannot file an appeal on behalf of Ann Karnofel. Our record indicates that Delores Karnofel is representing Ann Karnofel pro se to wit: the notice of appeal provides that “[a]ppellant, Ann Karnofel, by and through [a]ppellant, Delores Karnofel, a pro se litigant in this case ***.” It is obvious that the notice of appeal bears only Delores Karnofel’s signature for both appellants on the line which is provided for counsel for appellant.

{¶16} Civ.R. 11 requires that each party sign his or her own name on all pleadings when proceeding pro se. Furthermore, R.C. 4705.01 provides, in part, that: “[n]o person shall be permitted to practice as an attorney and counselor at law, or to commence, conduct, or defend any action or proceeding in which the person is not a party concerned, either by using or subscribing the person’s own name, or the name of another person, unless the person has been admitted to the bar by order of the supreme court ***.”

{¶17} Therefore, Delores cannot file pleadings on behalf of anyone but herself since she is not “admitted to the bar by order of the supreme court.”

{¶18} Based upon the foregoing analysis, this appeal is hereby dismissed, sua sponte, for lack of a final appealable order.

{¶19} Appeal dismissed.

MARY JANE TRAPP, P.J.,

DIANE V. GRENDALL, J.,

concur.