

[Cite as *In re C.G.R.*, 2012-Ohio-3690.]

# Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT  
COUNTY OF CUYAHOGA

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JOURNAL ENTRY AND OPINION  
No. 97800

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**IN RE: C.G.R.  
A Minor Child  
[Appeal by Father]**

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**JUDGMENT:  
DISMISSED**

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Civil Appeal from the  
Cuyahoga County Court of Common Pleas  
Juvenile Division  
Case No. CU 05104317

**BEFORE:** Sweeney, J., Boyle, P.J., and Jones, J.

**RELEASED AND JOURNALIZED:** August 16, 2012

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JAMES J. SWEENEY, J.:

{¶1} Defendant-appellant, C.R., father of C.G.R. (d.o.b. 5/11/05)<sup>1</sup> (hereinafter “Father”) has appealed, pro se, the juvenile court’s order of December 14, 2011, that approved the magistrate’s decision that denied Father’s motion to modify custody. For the reasons that follow, we dismiss the appeal.

{¶2} The record reflects that Father moved to modify custody and/or visitation relative to the Child. Therein, Father petitioned the court for restitution and a change of the custody arrangement. Father averred that despite the shared parenting order, the Child has been under his custody since “6/05-present.” Father also filed written objections to the Magistrate’s Decision dated July 25, 2011, regarding support establishment on the same grounds. On September 5, 2011, the juvenile court found Father’s objections “well taken,” sustained them, and returned the matter to the Magistrate for “further proceedings.”

{¶3} Father’s Motion to Modify Custody was denied by a Magistrate’s Decision dated September 12, 2011. Father did not file any objections to the September 12, 2011 Magistrate’s Decision, which was adopted by the juvenile court on December 14, 2011, and is the subject of this appeal.

{¶4} Father’s appellate brief essentially contains a statement of the case, without

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<sup>1</sup>Referred to hereafter as the “Child.”

any argument or law. There is no appellee brief in this record. Consequently, we have no choice but to dismiss the appeal. App.R. 12 and 16. In doing so, we are not affirming or otherwise addressing the propriety of the order appealed. We note the juvenile court's jurisdiction over child custody and support issues continues until the child reaches majority. *E.g.*, *Calogeras v. Calogeras*, 82 Ohio L.Abs. 438, 163 N.E.2d 713, (1959); *see also* R.C. 2151.23. Accordingly, the parties are not precluded from pursuing modification of same in the future.

{¶5} Accordingly, the appeal is dismissed and the matter is remanded for further proceedings consistent with this opinion.

It is ordered that appellee recover of appellant its costs herein taxed.

The Court finds there were reasonable grounds for this appeal.

A certified copy of this entry shall constitute the mandate pursuant to Rule 27 of the Rules of Appellate Procedure.

JAMES J. SWEENEY, JUDGE

MARY J. BOYLE, P.J., and  
LARRY A. JONES, SR., J., CONCUR