

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

CITIZENS AGAINST BLASTING ON	:	APPEAL NOS. C-130188
OUR MIAMI (CABOOM),	:	C-130189
	:	C-130190
Plaintiff,	:	C-130191
	:	C-130192
and	:	TRIAL NOS. A-1006066
	:	A-1006067
ACUPOLL RESEARCH, INC.,	:	A-1006068
	:	A-1006069
DEBORAH BLANKENSHIP,	:	A-1006189
	:	
MICHAEL BLANKENSHIP,	:	<i>ENTRY DISMISSING APPEALS.</i>
	:	
BRUCE BURGER,	:	
	:	
CATHY BURGER,	:	
	:	
DAVID BURGER,	:	
	:	
ANNA CAREY,	:	
	:	
GEORGE G. CAREY,	:	
	:	
JAMES COOMER,	:	
	:	
LINDA COOMER,	:	
	:	
JULIANN COCHRAN,	:	
	:	
STEVEN COCHRAN,	:	
	:	
ANDREW CURRAN,	:	
	:	
CHRISTINE CURRAN,	:	
	:	
FRANK G. DISTLER,	:	
	:	
WANDA F. DISTLER,	:	
	:	
EUREKA RANCH PROPERTIES, INC.,	:	

OHIO FIRST DISTRICT COURT OF APPEALS

JOSEPH W. FAHRENHOLTZ, :

LINDA J. FAHRENHOLTZ, :

ELLEN FOLEY, :

JEFFREY FRYE, :

SHIRLEY FRYE, :

TERRY GARVIN, :

LORETTA L. GORDON, :

JACK R. GORDON, :

JASON GORDON, :

NICOLE GORDON, :

GARY GOTTENBUSCH, :

PATRICIA GOTTENBUSCH, :

HA HA, INC., :

HA HA II, INC., :

DEBORAH A. HALL, :

DOUGLAS B. HALL, :

ANNE W. HARRISON, :

ROBERT S. HARRISON, :

DANIEL G. HENDERSHOT, :

ROBERTA HENDERSHOT, :

GARY LEE HICKS, :

GREGORY C. HOUNSHELL, :

GAIL HOUNSHELL, :

WILLARD HUGHETT, :

ANITA M. HUMPHRIES, :

THOMAS M. HUMPHRIES, :
MICHAEL JOHNSTON, :
PEGGY JOHNSTON, :
LEAWANDA D. KAZEE, :
W. STANLEY KAZEE, :
JEFFREY H. NEELEY, :
PALMISANO & CO., INC., :
JUDITH A. PALMISANO, :
ROBERT L. PALMISANO, :
CATHERINE ROPAR, :
JEFFREY ROPAR, :
JEROME SCHIMPF, :
JOYCE SCHIMPF, :
HELEN M. STEELE, :
ROBERT J. STEELE, :
JUDITH WINSTEL, :
THOMAS WINSTEL, :
LYNN WOODWARD, :
CATHY Y. ZISTLER, :
JAMES A. ZISTLER, :
VILLAGE OF NEWTON, :
VILLAGE OF TERRACE PARK, :
CITY OF THE VILLAGE OF INDIAN :
HILL, :
WILLIAM E. HOUSER TR, :
JERRY L. BRANDHORST, :

DIANE C. BRANDHORST, :
 :
 and :
 :
 TERRI L. HERBERT TR, :
 :
 Plaintiffs-Appellees, :
 :
 vs. :
 :
 ANDERSON TOWNSHIP BOARD OF :
 ZONING APPEALS, :
 :
 and :
 :
 ANDERSON TOWNSHIP BOARD OF :
 TRUSTEES, :
 :
 Defendants-Appellees, :
 :
 and :
 :
 MARTIN MARIETTA MATERIALS, :
 INC., :
 :
 Intervenor-Appellant. :

Per Curiam.

Martin Marietta Materials, Inc., appeals the trial court’s order upon remand from this court by which the trial court, upon instruction of this court, remanded a zoning matter to the Anderson Township Board of Trustees. Appellees filed a motion to dismiss the appeals. A ruling on the motion was deferred until the matter was assigned to this panel for a decision on the merits. Upon consideration of appellees’ motion to dismiss, Martin Marietta Materials’ memorandum in opposition, and the appellees’ reply, we grant the motion to dismiss. The trial court’s order upon remand was not a final appealable order because it did not determine the underlying action or affect a substantial right. *See* R.C. 2505.02(B); *Wedgewood Ltd. Partnership I v. Liberty Twp.*

Bd. of Zoning, 169 Ohio App.3d 840, 2007-Ohio-62, 865 N.E.2d 123 (5th Dist.). The appeals are hereby dismissed.

HENDON, P.J., DINKELACKER and DEWINE, JJ.

To the clerk:

Enter upon the journal of the court on January 29, 2014
per order of the court _____.