

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

NATALIE M. SIEGEL,	:	APPEAL NO. C-140750
Plaintiff-Appellee,	:	TRIAL NO. DR-1201717
vs.	:	<i>JUDGMENT ENTRY.</i>
BRIAN A. SIEGEL,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

This case involves a divorce proceeding. Defendant-appellant Brian Siegel appeals from the trial court’s order overruling his objections to the magistrate’s decision, and adopting it as a judgment of the court. Because the court’s judgment addressed issues of property division and child support, only, we are compelled to dismiss this appeal for lack of jurisdiction.

Courts of appeals have “such jurisdiction as may be provided by law to review and affirm, modify, or reverse judgments or final orders of the courts of record inferior to the court of appeals within the district * * * .” Article IV, Section 3(B)(2) Ohio Constitution.

In this case, the judgment appealed from was not a final judgment under Civ.R. 75(F) because it did not address child-custody or spousal-support issues. Nor is it a “final order” as defined in R.C. 2505.02. An order is a final order under R.C. 2505.02(B)(2) when the order affects a substantial right and was made in a special proceeding. It is well-settled that a divorce action is a special proceeding. *Wilhelm-*

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Kissinger v. Kissinger, 129 Ohio St.3d 90, 2011-Ohio-2317, 950 N.E.2d 516, ¶ 6. But no substantial right is implicated in the order from which Mr. Siegel appeals. A substantial right is one that “if not immediately appealable, would foreclose appropriate relief in the future.” *Bell v. Mt. Sinai Med. Ctr.*, 67 Ohio St.3d 60, 63, 616 N.E.2d 181 (1993). In his appeal, Mr. Siegel contests the court’s valuation of marital property and the court’s child-support determination. He does not argue, and we do not find, that an immediate appeal is necessary to ensure appropriate relief.

Because we are without jurisdiction, we hereby dismiss this appeal.

A certified copy of this judgment entry is the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

FISCHER, P.J., DEWINE and STAUTBERG, JJ.

To the clerk:

Enter upon the journal of the court on October 21, 2015
per order of the court _____.

Presiding Judge