

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

U.S. BANK NATIONAL	:	APPEAL NO. C-170459
ASSOCIATION, AS TRUSTEE FOR	:	TRIAL NO. A-0800779
THE STRUCTURED ASSET	:	
INVESTMENT LOAN TRUST, 2006-4	:	
c/o WELLS FARGO BANK, N.A.,	:	<i>JUDGMENT ENTRY.</i>
Plaintiff-Appellee,	:	
vs.	:	
GWENDOLYN BIBBS,	:	
and	:	
THOMAS BIBBS,	:	
Defendants-Appellants,	:	
and	:	
JERALD NORTH,	:	
and	:	
UNITED STATES OF AMERICA,	:	
Defendants.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Defendants-appellants Gwendolyn and Thomas Bibbs filed a notice of appeal from the trial court's entry confirming the sale of property in this foreclosure action.

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In a single assignment of error, the Bibbises argue that the trial court erred in denying their motion for relief from default judgment. The Bibbises specifically argue that the trial court erred because it never granted plaintiff-appellee U.S. Bank National Association leave to file an amended complaint, and because Mrs. Bibbs's handwritten letter in response to the original complaint qualified as an answer, so that default judgment was improper. The Bibbises also argue that the judgment entry of foreclosure lacks a legal description of the property.

The Bibbises filed their notice of appeal from the trial court's confirmation order. However, the Bibbises' assignment of error and arguments raised therein do not address the confirmation order, but instead seek relief from the trial court's judgment of foreclosure. Therefore, we conclude that the Bibbises have abandoned their appeal and we dismiss it. *See State v. Thomas*, 1st Dist. Hamilton Nos. C-100411 and C-100412, 2011-Ohio-13311, ¶ 4.

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

CUNNINGHAM, P.J., ZAYAS and DETERS, JJ.

To the clerk:

Enter upon the journal of the court on May 23, 2018

per order of the court _____.
Presiding Judge