

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

ROBERT A. GOERING, TREASURER, HAMILTON COUNTY, OHIO,	:	APPEAL NO. C-170651 TRIAL NO. A-1605973
Plaintiff-Appellee,	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
REGINALD P. SHELTON,	:	
Defendant-Appellant,	:	
and	:	
JANE DOE, Unknown Spouse, if Any, of REGINALD P. SHELTON,	:	
Defendant.	:	

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.

In this tax-foreclosure action, defendant-appellant Reginald Shelton appeals pro se the trial court's entry overruling his objections and adopting the magistrate's decision that granted a summary judgment to plaintiff-appellee Robert A. Goering, Treasurer, Hamilton County, Ohio, awarded him \$20,292.37 for accrued taxes, penalties, and assessments, determined he had the first and best lien, and granted him the right to foreclose on the property.

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In a single assignment of error, Shelton argues that “the trial court erred by granting summary judgment prematurely in lieu of the case management order entered pursuant to Hamilton County Local Rule 15(A).”

We do not reach the merits of Shelton’s assignment of error because we lack jurisdiction to entertain his appeal. Article IV, Section 3(B)(2) of the Ohio Constitution confers upon courts of appeals “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 * * *.” R.C. 2505.03(A) limits the jurisdiction of courts of appeals to the review of “final order[s], judgment[s], or decree[s].”

In its October 24, 2017, entry, the trial court overruled Shelton’s objections, and adopted the magistrate’s decision, but it did not also enter its own judgment, as contemplated by Civ.R. 53(D)(4)(e). *See In re D.C.*, 1st Dist. Hamilton Nos. C-170089, 2018-Ohio-2206, ¶ 5 (stating that only judges, and not magistrates, can enter a judgment); *In re A.T.*, 1st Dist. Hamilton No. C-160597, C-160598, and C-160599, 2017-Ohio-5821, ¶ 10; *In re S.R.*, 1st Dist. Hamilton No. C-170366, 2017-Ohio-8412, ¶ 2. We must, therefore, dismiss Shelton’s appeal for lack of subject-matter jurisdiction. The appeal is dismissed.

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 July 18, 2018

per order of the court _____.

Presiding Judge