



**OHIO FIRST DISTRICT COURT OF APPEALS**

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magistrate to apply R.C. 3109.04(E)(1)(a) as the applicable standard for custody modification and remanded the matter for further proceedings. Therefore, this order is interlocutory, and we lack jurisdiction to review it. *See Lantsberry v. Tilley Lamp Co.*, 27 Ohio St.2d 303, 306, 272 N.E.2d 127 (1971) (explaining that a final order disposes of the whole case or a distinct and separate portion of the case). We dismiss this appeal.

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.

**MOCK, P.J., MILLER and DETERS, JJ.**

To the clerk:

Enter upon the journal of the court on August 9, 2017

per order of the court \_\_\_\_\_.  
Presiding Judge