

CASE DECISION LIST

Court of Appeals, Eighth Appellate District

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January 5, 2023

111311 JUVENILE COURT DIVISION F Civil C.P.-Juv, Dom, Probate
IN RE: RY.T., ET AL.

Affirmed.

Emanuella D. Groves, J., Anita Laster Mays, A.J., and Lisa B. Forbes, J., concur.

KEY WORDS: *Legal custody; manifest weight of the evidence; abuse of discretion.*

The juvenile court did not abuse its discretion in overruling mother's objections to the decision of the magistrate or in adopting the magistrate's decision. Mother did not provide a transcript to support her objections, therefore the juvenile court was required to adopt the factual findings of the magistrate and was limited to reviewing the magistrate's conclusions of law.

Although mother provided a transcript of proceedings to the court of appeals, the appellate court was precluded from reviewing evidence that was not presented to the juvenile court and limited to determining whether the juvenile court abused its discretion when it overruled mother's objections and adopted the magistrate's decision.

The juvenile court did not err in adopting the decision of the magistrate that granted legal custody to a family member.

111474 COMMON PLEAS COURT E Civil C.P.-Not Juv, Dom Or Prob
C.L. v SHAWN WEILER

Affirmed.

Michelle J. Sheehan, J., Sean C. Gallagher, P.J., and Lisa B. Forbes, J., concur.

KEY WORDS: *CSPO; contempt; no-contact order.*

While the terms of the CSPO prohibited respondent-appellant from any written contact with the petitioner, appellant sent multiple mailings to the petitioner directly in connection with a lawsuit appellant filed against the petitioner, among them a copy of the summons and complaint, even though the petitioner was served with the summons and complaint by the clerk's office upon appellant's request and in accordance with the Rules of Civil Procedure. The trial court found appellant in contempt for violating the CSPO by sending correspondence and documents to the petitioner. Because the record contains competent credible evidence to support the trial court's determination, the trial court did not abuse its discretion in finding appellant in contempt.

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111893	COMMON PLEAS COURT	A	Criminal C.P.
STATE OF OHIO v RODERICK GILCREASE			

Reversed and remanded.

Emanuella D. Groves, J., Anita Laster Mays, A.J., and Michelle J. Sheehan, J., concur.

KEY WORDS: R.C. 2953.73; postconviction DNA testing; reasons; abuse of discretion.

The trial court's failure to provide an explanation for its rejection of appellant's application for postconviction DNA testing under R.C. 2953.73(D) is contrary to law and constitutes an abuse of discretion.