

**THE COURT OF APPEALS
ELEVENTH APPELLATE DISTRICT
GEAUGA COUNTY, OHIO**

CHRISTOPHER P. HITCHCOCK, TREASURER OF GEAUGA COUNTY, OHIO,	:	MEMORANDUM OPINION
	:	
Plaintiff-Appellee,	:	CASE NOS. 2009-G-2925 and 2009-G-2926
- vs -	:	
ARTHUR E. SEGEDY, JR., et al.,	:	
Defendants,	:	
ALLEN E. SEGEDY,	:	
Defendant-Appellant.	:	

Civil Appeal from the Court of Common Pleas, Case No. 09 F 000356.

Judgment: Appeals dismissed.

David P. Joyce, Geauga County Prosecutor, Courthouse Annex, 231 Main Street, Chardon, OH 44024 (For Plaintiff-Appellee).

Allen E. Segedy, pro se, 7707 Country Lane, Chagrin Falls, OH 44023 (Defendant-Appellant).

MARY JANE TRAPP, P.J.

{¶1} On October 5, 2009, appellant, Allen E. Segedy, pro se, filed a notice of appeal from a September 9, 2009 entry of the Geauga County Court of Common Pleas.

{¶2} On March 27, 2009, appellee, Christopher P. Hitchcock, Treasurer of Geauga County, Ohio, filed a complaint in foreclosure against several people including

Allen Segedy. On May 4, 2009, Allen filed a motion to dismiss, which the trial court denied on May 18, 2009. Subsequently, on May 27, 2009, Allen filed a motion for default judgment. The trial court denied Allen's motion for default judgment on June 17, 2009. Allen appealed that decision to this court. We dismissed the matter for lack of a final appealable order in *Geauga Cty. Treasurer v. Segedy*, 11th Dist. No. 2009-G-2907, 2009-Ohio-3941. On June 19, 2009, Allen filed a motion for summary judgment. The trial court overruled Allen's motion for summary judgment on September 9, 2009. Allen filed the instant appeal from that decision.

{¶3} Section 3(B)(2), Article IV of the Ohio Constitution limits the jurisdiction of an appellate court to the review of final judgments of lower courts. *Germ v. Fuerst*, 11th Dist. No. 2003-L-116, 2003-Ohio-6241, ¶3. In order for a judgment to be final and appealable, the requirements of R.C. 2505.02 and Civ.R. 54(B), if applicable, must be satisfied. See *Alden v. Kovar*, 11th Dist. Nos. 2006-T-0050 and 2006-T-0051, 2006 WL 1816263, at ¶5, citing to *Chef Italiano Corp. v. Kent State Univ.* (1989), 44 Ohio St.3d 86, 88. Pursuant to R.C. 2505.02(B), there are five categories of a "final order," and if a trial court's judgment satisfies any of them, it will be considered a "final order" which can be immediately appealed and reviewed by a court of appeals.

{¶4} In the instant matter, Allen has attempted to appeal the denial of a motion for summary judgment. The trial court's order does not fit within any of the categories of R.C. 2505.02. "An order denying a motion for summary judgment is not a final appealable order." *State ex rel. Overmeyer v. Walinski* (1966), 8 Ohio St.2d 23. Moreover, the denial of summary judgment is always reviewable on an appeal from a subsequent final judgment. *Sagenich v. Erie Ins. Group* (Dec. 12, 2003), 11th Dist. No. 2003-T-0144, 2003 WL 22952586, at ¶3. Allen will have a meaningful and effective

remedy by way of an appeal once a final judgment is reached as to all claims and parties when the case is decided and/or dismissed. See *Johnson v. Warren Police Dept.*, 11th Dist. No. 2005-T-0117, 2005-Ohio-6904, at ¶14.

{¶5} Accordingly, these appeals are hereby sua sponte dismissed for lack of a final appealable order.

{¶6} Appeals dismissed.

DIANE V. GRENDALL, J.,

TIMOTHY P. CANNON, J.,

concur.