

**COURT OF APPEALS
ELEVENTH APPELLATE DISTRICT
LAKE COUNTY, OHIO**

IAN S. GLASS,	:	MEMORANDUM OPINION
Plaintiff-Appellee,	:	
-vs-	:	CASE NO. 2004-L-214
ELOISE C. GLASS,	:	
Defendant-Appellant.	:	

Civil Appeal from the Court of Domestic Relations, Case No. 97 DR 000485.

Judgment: Appeal dismissed.

Sandra A. Dray, 1111 Mentor Avenue, Painesville, OH 44077 (For Plaintiff-Appellee).

Patrick R. Hanrahan, McNamara, Hanrahan, Callender & Loxterman, 8440 Station Street, Mentor, OH 44060 (For Defendant-Appellant).

DONALD R. FORD, P.J.,

{¶1} On December 27, 2004, appellant, Eloise C. Glass, filed a notice of appeal from November 24, 2004 and December 9, 2004 judgments of the Lake County Court of Common Pleas. In those judgments, the trial court denied a motion filed by appellee, Ian S. Glass, for attorney fees, and further declared that the matter shall be set for further hearing to determine the amount of damages due from appellant, to appellee.

{¶2} It is well established that a judgment which defers damages for a later determination of an uncertain amount is not a final appealable order. *State ex rel. White*

v. Cuyahoga Metro. Hous. Auth., 79 Ohio St.3d 543, 1997-Ohio-366. The judgment does not determine that action or prevent a judgment. *State ex rel. A & D Ltd. Partnership v. Keefe* (1996), 77 Ohio St.3d 50, 53.

{¶3} Based upon this analysis, the present appeal is hereby sua sponte dismissed for lack of a final appealable order.

{¶4} Appeal dismissed.

CYNTHIA WESTCOTT RICE, J.,

COLLEEN MARY O'TOOLE, J.,

concur.