

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

CITY NATIONAL BANK,	:	MEMORANDUM OPINION
Plaintiff-Appellee,	:	
- vs -	:	CASE NO. 2018-L-112
MARY T. GIDES, et al.,	:	
Defendant-Appellant.	:	

Civil Appeal from the Mentor Municipal Court, Case No. 2018 CVG 00861

Judgment: Appeal dismissed.

Beth M. Miller, The Law Office of Beth M. Miller, LLC, 81 Mill Street, Suite 300, Gahanna, Ohio 43230 (For Plaintiff-Appellee).

Brian H. Meister, 23951 Lakeshore Boulevard, #1503B, Euclid, Ohio 44123 (For Defendant-Appellant).

THOMAS R. WRIGHT, P.J.

{¶1} Appellant, Mary Gides, appeals the trial court’s judgment in this forceable entry and detainer action granting restitution of the premises to appellee, City National Bank. Appellee moves to dismiss the appeal as moot.

{¶2} Appellant moved for a continuance to respond and to obtain new counsel. The continuance was granted. The appellant was given thirty days to obtain new counsel and file a response. More than thirty days has passed. Neither a notice of appearance nor a response to the motion has been filed.

{¶3} There is no dispute that the premises have been vacated and possession restored to appellee. When a tenant has vacated the premises and the landlord regains possession, the merits of a forceable entry and detainer action are rendered moot. *Blank v. Allenbaugh, et al.*, 2018-Ohio-5282, 11th Dist. Ashtabula No. 2018-A-0022. Appellee's motion to dismiss is granted. The appeal is dismissed.

TIMOTHY P. CANNON, J.,

MARY JANE TRAPP, J.,

concur.