

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATES RESOURCES CORPORATION,	:	APPEAL NO. C-090854 TRIAL NO. A-0711250
Plaintiff-Appellant,	:	<i>DECISION.</i>
vs.	:	
SOUTHERN OHIO PROPERTY INVESTMENT LTD,	:	
MARK D. MENDENHALL,	:	
ADVANTAGE BANK,	:	
HAMILTON COUNTY BOARD OF COMMISSIONS, ¹	:	
HAMILTON COUNTY TREASURER, ROBERT A. GOERING,	:	
CITY OF CINCINNATI,	:	
CINCINNATI DEVELOPMENT FUND,	:	
JOSEPH R. DRESCHER, EXECUTOR OF THE ESTATE OF WALTER ANTON KOEHLER, JR.,	:	
HARVEST HOME SAVINGS BANK,	:	
and	:	
WINTON SAVINGS AND LOAN COMPANY,	:	
Defendants-Appellees.	:	

¹ This party identified itself by answer as the “Board of County Commissioners of Hamilton County, Ohio, Department of Community Development.”

OHIO FIRST DISTRICT COURT OF APPEALS

Civil Appeal From: Hamilton County Court of Common Pleas

Appeal Dismissed

Date of Judgment Entry on Appeal: July 23, 2010

William P. Coley, II, and Roetzel & Andress, L.P.A., for Plaintiff-Appellant,

H. Toby Schisler and Dinsmore & Shohl, LLP, for Defendant-Appellee Cincinnati Development Fund.

Note: We have removed this case from the accelerated calendar.

Per Curiam.

{¶1} In this foreclosure action, plaintiff-appellant States Resources Corporation (“SRC”) appeals from the trial court’s entry, dated November 2, 2009, that overruled SRC’s motion to vacate the sheriff’s sale of five properties, granted defendant-appellee Cincinnati Development Fund’s (“CDF”) motion for the court to confirm the sheriff’s sale, and ordered SRC “to [proffer an entry] confirm[ing] the sale” within seven days.

{¶2} SRC assigns as error the trial court’s distribution of proceeds and denial of SRC’s motion to vacate.

{¶3} We dismiss this appeal for lack of a final, appealable order. The trial court has yet to enter a final order confirming the sale and ordering the distribution of proceeds.² Thus, the order appealed lacks the finality required to invoke this court’s appellate jurisdiction.³

Appeal dismissed.

CUNNINGHAM, P.J., HILDEBRANDT and DINKELACKER, JJ.

Please Note:

The court has recorded its own entry on the date of the release of this decision.

² See R.C. 2329.31; *Emerson Tool, LLC v. Emerson Family Ltd. Partnership*, 9th Dist. No. 24673, 2009-Ohio-6617, ¶14.

³ See Section 3(B)(2), Article IV, Ohio Constitution; R.C. 2505.02(B)(2); *Emerson Tool* at ¶13-15.