

COURT OF APPEALS OF OHIO, EIGHTH APPELLATE DISTRICT,
CUYAHOGA COUNTY

In re K.G.

2026-Ohio-127 · No. 115351 · Decided January 15, 2026

SUMMARY

The Eighth District Court of Appeals affirmed a juvenile court’s award of permanent custody of a minor child to the Cuyahoga County Division of Children and Family Services. The court held that clear and convincing evidence supported findings that the father had failed to remedy the conditions leading to the child’s removal, was repeatedly incarcerated, and that permanent custody was in the child’s best interest. The court also upheld the denial of the father’s request for a continuance to establish paternity and investigate relative placement.

CASE DETAILS

COURT	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
WRITING FOR THE COURT	Kathleen Ann Keough; Lisa B. Forbes; Sean C. Gallagher
JURISDICTION	Court of Appeals of Ohio, Eighth Appellate District, Cuyahoga County
DECIDED	January 15, 2026
DOCKET	115351
DISPOSITION	affirmed
PROCEDURAL POSTURE	J.G. appealed the juvenile court's order terminating his parental rights and awarding permanent custody of K.G. to the Cuyahoga County Division of Children and Family Services. The appellate court reviewed challenges based on manifest weight and sufficiency of the evidence, as well as the denial of a trial continuance.
STANDARD OF REVIEW	The appellate court applies either the sufficiency-of-the-evidence or manifest-weight-of-the-evidence standard depending on the nature of the argument. Sufficiency is reviewed as a matter of law; a manifest-weight challenge requires the appellate court to weigh the evidence, consider reasonable inferences and witness credibility, and determine whether the factfinder clearly lost its way and created a manifest miscarriage of justice. A trial court's ruling on a continuance is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion

PARTIES

J.G., alleged father v. Cuyahoga County Division of Children and Family Services

TOPICS

termination of parental rights

parental rights

child custody

standard of review

appellate procedure

PRACTICE AREAS

Juvenile dependency

termination of parental rights

permanent custody

appellate review

QUESTIONS PRESENTED

1. Whether the juvenile court's award of permanent custody to CCDCFS was against the manifest weight of the evidence.
2. Whether legally sufficient clear and convincing evidence supported the award of permanent custody to CCDCFS.
3. Whether the juvenile court abused its discretion by denying J.G.'s request for a continuance to establish paternity and investigate placement with the paternal grandmother.

HOLDINGS

1. The juvenile court's permanent-custody award was supported by sufficient clear and convincing evidence under R.C. 2151.414. The evidence supported findings that the child could not be placed with either parent within a reasonable time or should not be placed with the parents and that permanent custody was in the child's best interest.
2. The permanent-custody award was not against the manifest weight of the evidence because this was not the exceptional case in which the juvenile court clearly lost its way and created a manifest miscarriage of justice.
3. The juvenile court did not abuse its discretion by denying J.G.'s day-of-trial request for a continuance to complete paternity testing or investigate placement with the paternal grandmother.

KEY QUOTATIONS

“The weight of the evidence and the sufficiency of the evidence are two distinct concepts; sufficiency is a test of adequacy while weighing the evidence examines its effect in inducing belief.” (Section III.A)

“Moreover, we cannot say that this is the exceptional case where the juvenile court lost its way and created a manifest miscarriage of justice in evaluating the best-interest factors.” (Section III.A)

“Accordingly, we cannot say that the trial court abused its discretion in denying Father’s motion to continue trial.” (Section III.B)

FACTUAL BACKGROUND

K.G. had been in CCDCFS custody almost continuously since shortly after birth. J.G. had not established paternity, had visited the child only once, and was repeatedly incarcerated during the dependency proceeding, preventing him from completing case-plan services addressing paternity, domestic violence, mental health, housing, and parenting. The child was thriving in a foster placement, while the agency and court-appointed advocates recommended permanent custody to CCDCFS.

PROCEDURAL HISTORY

CCDCFS filed a neglect and dependency complaint and obtained temporary custody of the child. The juvenile court found the child neglected and dependent, later granted the agency's motion to modify temporary custody to permanent custody, and terminated the parental rights of J.G. and the child's mother. J.G. timely appealed, and the Eighth District affirmed.

DISPOSITION

affirmed

CASES CITED

- In re Z.C., 2023-Ohio-4703
- State v. Thompkins, 78 Ohio St.3d 380, 386 (1997)
- Eastley v. Volkman, 2012-Ohio-2179
- In re T.B., 2014-Ohio-2051
- In re Schaefer, 2006-Ohio-5513
- State v. Unger, 67 Ohio St.2d 65, 67 (1981)
- Johnson v. Abdullah, 2021-Ohio-3304

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