

COURT OF APPEALS OF OHIO, NINTH JUDICIAL DISTRICT

Waldron v. Keshishian

2026-Ohio-2235 · No. C.A. No. 25CA012348 · Decided June 15, 2026

SUMMARY

The Ninth District Court of Appeals of Ohio affirmed a Lorain County Juvenile Division judgment involving discovery sanctions imposed personally against an attorney in a child-support proceeding. The court held that the attorney forfeited challenges to the sanctions by failing to timely move to set aside the magistrate’s order and rejected the cumulative-error argument.

CASE DETAILS

COURT	Court of Appeals of Ohio, Ninth Judicial District
WRITING FOR THE COURT	Jennifer Hensal; Flagg Lanzinger; Stevenson
JURISDICTION	Ohio Court of Appeals, Ninth Judicial District
DECIDED	June 15, 2026
DOCKET	C.A. No. 25CA012348
DISPOSITION	affirmed
PROCEDURAL POSTURE	Attorney Jessica Camargo appealed the Lorain County Court of Common Pleas, Juvenile Division's rulings concerning a magistrate's discovery-sanctions order and related motions. The Court of Appeals affirmed.
STANDARD OF REVIEW	A magistrate's order may be set aside only through a motion filed with the trial court within ten days under Civ.R. 53(D)(2)(b). When no timely motion to set aside is filed, appellate review is limited to plain error, and the court will not construct a plain-error argument sua sponte. The cumulative-error issue was reviewed under the applicable civil cumulative-error principles.
PRECEDENTIAL VALUE	published and precedential
PARTIES	Jessica A. L. Camargo v. Lucinda Waldron

TOPICS

- civil procedure
- appellate procedure
- sanctions
- discovery dispute
- preservation of error

PRACTICE AREAS

civil procedure

appellate procedure

family law

remedies

QUESTIONS PRESENTED

1. Whether Camargo's challenges to the magistrate's discovery-sanctions order were forfeited because she did not timely move to set the order aside.
2. Whether the trial court violated Camargo's due process rights in imposing or enforcing the discovery sanction.
3. Whether the attorney fees awarded as a sanction were caused by a discovery violation.
4. Whether reliance on unsworn testimony and an incomplete record precluded meaningful appellate review.
5. Whether cumulative error required reversal.

HOLDINGS

1. A challenge to a nondispositive magistrate's order must be presented through a motion to set the order aside filed within ten days; absent a timely motion, all arguments other than plain error are forfeited on appeal. Because Camargo did not timely challenge the May 12, 2025, sanctions order and did not argue plain error, her first four assignments of error were forfeited.
2. The cumulative-error doctrine did not warrant reversal because civil cases do not typically employ the doctrine and, in any event, the doctrine requires multiple errors; Camargo had not established multiple cognizable errors.

KEY QUOTATIONS

"When a timely motion to set aside is not filed, all but plain error is forfeited for purposes of appeal." (¶ 7)

"The cumulative-error doctrine, however, 'is not typically employed in civil cases.'" (¶ 8)

FACTUAL BACKGROUND

Waldron challenged an administrative child-support order, and the magistrate ordered discovery to be completed before a pretrial hearing. Attorney Camargo represented Michael Keshishian and filed a notice stating that discovery responses had been submitted, but opposing counsel reported that the discovery had not been received; Camargo later produced numerous documents over a weekend. After Camargo requested a continuance because of an automobile accident and failed to provide documentation verifying the accident or properly participate in the sanctions hearing, the magistrate imposed a discovery sanction against her personally. Camargo did not timely move to set aside the May 12, 2025, magistrate's order.

PROCEDURAL HISTORY

Lucinda Waldron objected to an administrative child-support order. During the proceedings, the magistrate imposed a discovery sanction against Attorney Camargo. Camargo filed untimely motions seeking to set aside

the magistrate's orders and later objected to related trial-court entries. The trial court denied her motions, and she appealed, asserting five assignments of error.

DISPOSITION

affirmed

CASES CITED

- Green v. HOC Transport, 2023-Ohio-2867, ¶ 13 (9th Dist.)
- Young v. Boyd, 2025-Ohio-4450, ¶ 12 (9th Dist.)
- In re L.B.S., 2019-Ohio-3312, ¶ 53 (9th Dist.)
- Lowder v. Kantak, 2018-Ohio-3470, ¶ 12 (9th Dist.)
- McMichael v. Akron Gen. Med. Ctr., 2017-Ohio-7594, ¶ 90 (9th Dist.)
- J.P. v. T.H., 2016-Ohio-243, ¶ 35 (9th Dist.)
- State v. Hunter, 2011-Ohio-6524, ¶ 132

OPINION

PER CURIAM.

[Cite as Waldron v. Keshishian, 2026-Ohio-2235.] STATE OF OHIO) IN THE COURT OF APPEALS)ss: NINTH JUDICIAL DISTRICT COUNTY OF LORAIN) LUCINDA WALDRON C.A. No. 25CA012348 Appellee v. APPEAL FROM JUDGMENT ENTERED IN THE MICHAEL KESHISHIAN COURT OF COMMON PLEAS COUNTY OF LORAIN, OHIO Defendant CASE No. 24 JS 69342 and JESSICA CAMARGO, ESQ. Appellant DECISION AND JOURNAL ENTRY Dated: June 15, 2026 HENSAL, Judge. {¶1} Attorney Jessica Camargo appeals an order of the Lorain County Court of Common Pleas, Juvenile Division.

This Court affirms. I. {¶2} On August 8, 2024, Lucinda Waldron (“Mother”) objected to an administrative child support order by filing an action in the court of common pleas. A magistrate set the matter for a pretrial hearing by videoconference on February 10, 2025, and ordered the parties to complete discovery by December 31, 2024.

On behalf of Michael Keshishian (“Father”), Attorney Camargo filed a notice on January 14, 2025, that she had submitted discovery responses. At the February 10, 2025, hearing, however, counsel for Mother informed the magistrate that no discovery had 2 been received from Father.

The magistrate set another deadline for providing discovery, scheduled the matter for a hearing on March 3, 2025, and cautioned counsel that failure to comply with the new discovery deadline could result in sanctions. {¶3} On the date of the hearing, Attorney Camargo requested a continuance because she had “just been in an automobile accident.” Counsel for Father also

requested a continuance after receiving numerous documents over the weekend from Attorney Camargo that had not been provided in discovery.

The trial court continued the hearing but ordered Attorney Camargo to provide documentation verifying her automobile accident. The magistrate also scheduled a hearing to consider sanctions. Attorney Camargo failed to file documentation regarding the accident by the deadline set by the magistrate and moved to withdraw as counsel, which the magistrate permitted. {¶4} On May 12, 2025, the magistrate entered an order sanctioning Attorney Camargo for discovery violations after she failed to make appropriate arrangements to participate in the sanctions hearing by videoconference.

Over a month later, on June 18, 2025, Attorney Camargo filed a motion captioned five different ways: “motion to set aside, instanter”; “motion for leave of court to file motion to set aside”; “motion for leave of court to supplement the motion to set aside upon receipt of the transcript”; “motion for transcript”; and “notice of hearing.” On June 30, 2025, to the extent that her motion requested leave to file a motion to set aside the magistrate’s decisions, the magistrate denied the motion because the magistrate’s decisions at issue were entered thirty- seven and ninety-nine days before her motion was filed, respectively.

Having reached that conclusion, the magistrate concluded that Attorney Camargo’s requests for leave to file instanter and to supplement with a transcript were moot. 3 {¶5} On July 11, 2025, Mother withdrew her objection to the administrative decision but asked the trial court to keep the case open in order to enforce the discovery sanction against Attorney Camargo.

The trial court adopted the administrative order on July 21, 2025, but granted Mother’s motion to keep the matter active to permit enforcement of the sanctions order. On July 28, 2025, Attorney Camargo filed another motion that bore five captions: “objection to magistrate’s decision of July 21, 2025, and June 30, 2025”; “motion for transcripts”; “motion for leave of court to supplement objections upon receipt of transcripts and to request findings of fact and conclusions of law”; “motion for hearing and oral argument on all pending motions and objections before judge”; and “motions for facts of finding [sic] and conclusions of law.” {¶6} On September 23, 2005, the trial court ruled on Attorney Camargo’s combined motions.

With respect to the June 30, 2025, entry, the trial court noted that it was a magistrate’s order rather than a magistrate’s decision, concluded that the motion was untimely, and noted that a motion for findings of fact and conclusions of law would be moot. With respect to the July 21, 2025, entry, the trial court noted that it was a judgment entry not a magistrate’s decision or order.

The trial court concluded that the discovery sanctions were a collateral issue that survived the withdrawal of Mother’s objection and denied Attorney Camargo’s motion in all other respects. The

trial court then turned to the June 18, 2025, motion to the extent that it asked the court to vacate earlier orders and denied that motion. Attorney Camargo appealed, assigning five errors.

II. ASSIGNMENT OF ERROR I THE TRIAL COURT ABUSED ITS DISCRETION BY IMPOSING SANCTIONS AGAINST COUNSEL PERSONALLY WITHOUT THE REQUIRED FINDINGS. 4 ASSIGNMENT OF ERROR II THE TRIAL COURT VIOLATED APPELLANT'S DUE PROCESS RIGHTS. ASSIGNMENT OF ERROR III THE ATTORNEY'S FEES AWARDED WERE NOT CAUSED BY ANY DISCOVERY VIOLATION. ASSIGNMENT OF ERROR IV THE TRIAL COURT RELIED ON UNSWORN TESTIMONY AND AN INCOMPLETE RECORD, PRECLUDING MEANINGFUL APPELLATE REVIEW. {¶7} Attorney Camargo's first four assignments of error each challenge the magistrate's May 12, 2025, order that imposed a discovery sanction against her.

Under Rule 53(D)(2)(a)(1), a magistrate's order can "be entered without judicial approval to regulate proceedings when not dispositive of a claim or defense." *Green v. HOC Transport*, 2023-Ohio-2867, ¶ 13 (9th Dist.). A magistrate's order does not require action by the trial court, and an individual who disagrees with a magistrate's order "must file a motion with the trial court to set the order aside that explains the... reasons for disagreement with particularity." *Id.*, citing *Civ.R.*

53(D)(2)(b). A motion to set aside a magistrate's order must be filed within ten days. *Civ.R.* 53(D)(2)(b). When a timely motion to set aside is not filed, all but plain error is forfeited for purposes of appeal. *Young v. Boyd*, 2025-Ohio-4450, ¶ 12 (9th Dist.); *In re L.B.S.*, 2019-Ohio-3312, ¶ 53 (9th Dist.). When an appellant does not argue plain error, however, this Court will not undertake that analysis sua sponte.

Young at ¶ 12. Attorney Camargo did not file a timely motion to set aside the May 12, 2025, magistrate's order. Consequently, the arguments made in each of her first four assignments of error are forfeited. See *id.* She has not provided this Court with a plain-error argument, and this Court declines to construct one on her behalf. *Lowder v. Kantak*, 2018-Ohio-3470, ¶ 12 (9th Dist.).

Attorney Camargo's first four assignments of error are overruled on that basis. 5 ASSIGNMENT OF ERROR V THE CUMULATIVE EFFECT OF THE ERRORS REQUIRES REVERSAL. {¶8} Attorney Camargo's fifth assignment of error argues that this Court should reverse in light of cumulative errors by the trial court.

The cumulative-error doctrine, however, "is not typically employed in civil cases." *McMichael v. Akron Gen. Med. Ctr.*, 2017-Ohio-7594, ¶ 90 (9th Dist.), quoting *J.P. v. T.H.*, 2016-Ohio-243, ¶ 35 (9th Dist.). Even if this Court was to apply a cumulative-error analysis in this context, the cumulative-error doctrine does not apply unless multiple errors are present.

See *State v. Hunter*, 2011-Ohio-6524, ¶ 132. Attorney Camargo's fifth assignment of error is overruled. III. {¶9} Attorney Camargo's assignments of error are overruled. The judgment of the

Lorain County Court of Common Pleas, Juvenile Division, is affirmed. Judgment affirmed. There were reasonable grounds for this appeal.

We order that a special mandate issue out of this Court, directing the Court of Common Pleas, County of Lorain, State of Ohio, to carry this judgment into execution. A certified copy of this journal entry shall constitute the mandate, pursuant to App.R. 27. Immediately upon the filing hereof, this document shall constitute the journal entry of judgment, and it shall be file stamped by the Clerk of the Court of Appeals at which time the period for review shall begin to run.

App.R. 22(C). The Clerk of the Court of Appeals is instructed to 6 mail a notice of entry of this judgment to the parties and to make a notation of the mailing in the docket, pursuant to App.R. 30. Costs taxed to Appellant. JENNIFER HENSAL FOR THE COURT FLAGG LANZINGER, P. J. STEVENSON, J. CONCUR. APPEARANCES: JESSICA A. L. CAMARGO, Attorney at Law, pro se, for Appellant.

SCOTT SYLKATIS, Attorney at Law, for Appellee.