

OHIO COURT OF APPEALS, ELEVENTH APPELLATE DISTRICT, PORTAGE COUNTY

Swiecicki v. Swiecicki

2026-Ohio-1229 · No. 2026-P-0012 · Decided April 6, 2026

SUMMARY

The Eleventh District Court of Appeals of Ohio dismissed Jeffrey A. Swiecicki’s appeal for lack of jurisdiction. The court held that the appealed magistrate’s decision was not a final appealable order because the trial court had not adopted it, ruled on objections, or entered a judgment determining all claims. The court granted the appellee’s motion to dismiss and taxed costs against the appellant.

CASE DETAILS

COURT	Ohio Court of Appeals, Eleventh Appellate District, Portage County
WRITING FOR THE COURT	Robert J. Patton; Matt Lynch; Eugene A. Lucci
JURISDICTION	Ohio Court of Appeals, Eleventh Appellate District, Portage County
DECIDED	April 6, 2026
DOCKET	2026-P-0012
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant appealed pro se from a magistrate's decision. The appellee moved to dismiss for lack of appellate jurisdiction because the magistrate's decision had not been adopted by the trial court.
STANDARD OF REVIEW	The court independently determined whether it had jurisdiction to review a final appealable order.
PRECEDENTIAL VALUE	Published Ohio Court of Appeals opinion
PARTIES	Jeffrey A. Swiecicki v. Lisa M. Swiecicki

TOPICS

- appellate jurisdiction
- final judgment rule
- interlocutory appeal
- family law procedure
- civil procedure

PRACTICE AREAS

- appellate procedure
- family law

QUESTIONS PRESENTED

1. Whether the February 6, 2026 magistrate's decision constituted a final appealable order under Ohio Revised Code 2505.02(B).
2. Whether the appellate court had jurisdiction to review a magistrate's decision that had not been adopted by the trial court.

HOLDINGS

1. A magistrate's decision that has not been adopted by the trial court is not a final appealable order, and the February 6, 2026 magistrate's decision did not satisfy any category of final order under R.C. 2505.02(B).
2. The appellate court lacked jurisdiction to review the unadopted magistrate's decision and therefore had to dismiss the appeal.

KEY QUOTATIONS

“Only judges, not magistrates, terminate cases by entering judgments.” (§ 4)

“Accordingly, this appeal is dismissed for lack of jurisdiction.” (§ 7)

FACTUAL BACKGROUND

The appeal arose from a domestic-relations action involving Jeffrey and Lisa Swiecicki. Jeffrey appealed from a February 6, 2026 magistrate's decision. The trial court had not yet adopted, modified, or rejected the magistrate's decision or entered a judgment determining the claims for relief.

PROCEDURAL HISTORY

The Portage County Court of Common Pleas issued a February 6, 2026 magistrate's decision in a domestic-relations action. Jeffrey A. Swiecicki appealed directly from that decision. The Eleventh District granted Lisa M. Swiecicki's motion to dismiss and dismissed the appeal for lack of jurisdiction because the trial court had not adopted the magistrate's decision or entered a final judgment.

DISPOSITION

dismissed

CASES CITED

- Noble v. Colwell, 44 Ohio St.3d 92, 96 (1989)
- Radic v. Sternadel, 2025-Ohio-4527, ¶ 2 (11th Dist.)
- Radic v. Sternadel, 2025-Ohio-4527, ¶¶ 6-7 (11th Dist.)
- Gen. Acc. Ins. Co. v. Ins. Co. of N. Am., 44 Ohio St.3d 17, 20 (1989)