

OHIO COURT OF APPEALS, FIFTH APPELLATE DISTRICT, STARK  
COUNTY

Dunson v. Adam Lee Auto Body

2026-Ohio-322 · No. 2025CA00105 · Decided February 2, 2026

SUMMARY

The Fifth District Court of Appeals of Ohio affirmed the Canton Municipal Court's judgment granting summary judgment in favor of Adam Lee Auto Body. The court disregarded and overruled David Dunson's assignments of error because his one-page appellate brief failed to provide relevant facts, legal authority, record citations, or meaningful argument as required by the Ohio Rules of Appellate Procedure.

CASE DETAILS

|                       |                                                                                         |
|-----------------------|-----------------------------------------------------------------------------------------|
| COURT                 | Ohio Court of Appeals, Fifth Appellate District, Stark County                           |
| WRITING FOR THE COURT | Craig R. Baldwin, P.J.; Kevin W. Popham, J.; David M. Gormley, J.                       |
| JURISDICTION          | Ohio Court of Appeals, Fifth Appellate District, Stark County                           |
| DECIDED               | February 2, 2026                                                                        |
| DOCKET                | 2025CA00105                                                                             |
| DISPOSITION           | affirmed                                                                                |
| PROCEDURAL POSTURE    | Appellant appealed the Canton Municipal Court's entry of summary judgment for appellee. |
| PRECEDENTIAL VALUE    | Published                                                                               |
| PARTIES               | David Dunson v. Adam Lee Auto Body                                                      |

TOPICS

- appellate procedure
- civil procedure
- summary judgment
- contracts

PRACTICE AREAS

- appellate procedure
- civil procedure
- contracts
- summary judgment

QUESTIONS PRESENTED

1. Whether the appellate court should consider assignments of error that are presented without a statement of relevant facts, citations to authority or the record, and meaningful argument as required by App.R. 16.

2. Whether Dunson's assignments of error concerning summary judgment and the trial court's treatment of video and text-message evidence should be disregarded for inadequate briefing.

## HOLDINGS

1. An appellate court may disregard assignments of error when the appellant fails to provide a statement of relevant facts, citations to applicable law and the record, and meaningful argument as required by App.R. 16.

## KEY QUOTATIONS

*“The court may disregard an assignment of error presented for review if the party raising it fails to identify in the record the error on which the assignment of error is based or fails to argue the assignment separately in the brief, as required under App.R. 16(A).” (¶ 7)*

*“If an argument exists that can support [an] assignment of error, it is not this court’s duty to root it out.” (¶ 9)*

## FACTUAL BACKGROUND

Dunson's claims concerned whether Adam Lee Auto Body performed contracted painting and body work on Dunson's 1971 Pontiac Grand Prix. Dunson also asserted that video and text-message evidence showed factual disputes concerning the quality and completion of the work. The appellate court did not reach the merits because Dunson failed to provide a statement of facts, legal authorities, record citations, or meaningful argument.

## PROCEDURAL HISTORY

The Canton Municipal Court entered judgment for Adam Lee Auto Body on June 24, 2025. David Dunson appealed, asserting that genuine issues of material fact existed regarding contracted painting and body work and that the trial court failed to consider video and text-message evidence. The Fifth District Court of Appeals affirmed because Dunson's brief failed to comply with the appellate briefing requirements.

## DISPOSITION

affirmed

## CASES CITED

- Hawley v. Ritley, 35 Ohio St.3d 157 (1988)
- Uncapher v. Baltimore & O.R. Co., 127 Ohio St. 351 (1933)
- State v. Romy, 2021-Ohio-501, ¶¶ 35-36 (5th Dist.)
- Catanzarite v. Boswell, 2009-Ohio-1211, ¶ 16 (9th Dist.)