

# The Ohio Court of Appeals Fifth District



*Civil, Criminal, Juvenile/Probate,  
and Municipal Court Appeals*

## **NOTICE:**

Effective April 30, 2014

The Fifth District Court of Appeals  
has amended the Docketing Statement  
(Local Rule 6).

The Amended Docketing Statement is  
available at the Clerk's Office or online at  
[www.FifthDist.org](http://www.FifthDist.org).

**Fairfield County Clerk of Courts  
Fifth District Court of Appeals**

**Paperwork Necessary to File an Appeal**

**Civil Appeals**

1. Notice of Appeal;
2. Civil Docketing Statement;
3. Copy of Judgment Appealing, attached to each Docketing Statement;
4. Praecipe to the Court Reporter (if needed);
5. \$100.00 filing fee or completed financial disclosure affidavit for indigent defendants;
6. The Court retains original document + one copy for each party to be served.

**Criminal Appeals**

1. Notice of Appeal;
2. Criminal Docketing Statement;
3. Copy of Judgment Appealing, attached to each Docketing Statement;
4. Praecipe to the Court Reporter (if needed);
5. \$100.00 filing fee or completed financial disclosure affidavit for indigent defendants;
6. The court retains original document + one copy for each party to be served.

**Domestic Relations Appeals**

1. Notice of Appeal;
2. Civil Docketing Statement;
3. Copy of Judgment Appealing, attached to each Docketing Statement;
4. Praecipe for Court Recording and Transcript;
5. \$100.00 filing fee or completed financial disclosure affidavit for indigent defendants;
6. The Court retains original document + one copy for each party to be served.

**Juvenile/Probate Appeals**

1. Notice of Appeal (original must be filed in the trial court);
2. Civil Docketing Statement;
3. Copy of Judgment Appealing, attached to each Docketing Statement;
4. Praecipe to the Court Reporter (if needed);
5. \$100.00 filing fee or completed financial disclosure affidavit for indigent defendants;
6. The Court retains original document + one copy for each party to be served.

**Municipal Court Appeals**

1. Notice of Appeal (original must be filed in the trial court);
2. Civil Docketing Statement;
3. Copy of Judgment Appealing, attached to each Docketing Statement;
4. Praecipe to the Court Reporter (if needed);
5. \$100.00 filing fee or completed financial disclosure affidavit for indigent defendants;
6. The Court retains original document + one copy for each party to be served.

**OHIO FIFTH DISTRICT COURT OF APPEALS  
DOCKETING STATEMENT**

**WARNING:** A time-stamped copy of the judgment entry or order which makes your cause appealable as well as a copy of all judgment entries or orders being appealed must be attached to this statement.

**WARNING:** All requested information *must be provided*. Failure to file a fully completed docketing statement, typed or legibly printed, may result in this appeal being dismissed by the Court, *sua sponte*.

\_\_\_\_\_  
Appeal No. \_\_\_\_\_  
Trial Court No. \_\_\_\_\_  
Trial Court Judge \_\_\_\_\_

\_\_\_\_\_  
Plaintiff-Appellant Appellee (Circle Designation)

-vs- \_\_\_\_\_  
Plaintiff's Counsel \_\_\_\_\_  
Phone \_\_\_\_\_

\_\_\_\_\_  
Defendant's Counsel \_\_\_\_\_  
Phone \_\_\_\_\_

\_\_\_\_\_  
Defendant-Appellant Appellee (Circle Designation)

A. DATES: Of the judgment(s) being appealed \_\_\_\_\_ Time to Appeal extended per App.R. ( ) Yes ( ) No  
Specify Reason: \_\_\_\_\_

B. PROBABLE ISSUES FOR REVIEW: (Including charges in criminal case) \_\_\_\_\_

C. THIS APPEAL SHOULD BE ASSIGNED TO: (Check One) (See Loc. App. R. 6(B) and App. R. 11.2)

- ( ) The regular calendar,
- ( ) The accelerated calendar, (See Loc. R. 6(B))
- ( ) The expedited calendar. (See Section F(3) of this docketing statement, Loc. R. 7 and App. R. 11.2)

D. THE RECORD: This Docketing Statement will serve as a praecipe to the clerk to prepare and transfer the docket and journal entries.

Please Indicate the Type of Record to be Filed: (Check One).

- ( ) Docket and Journal Entries Only, no transcript of proceedings.
- ( ) Transcript has been prepared already. It is a ( ) Full or ( ) Partial Transcript. If partial, see App.R. 9(B)
- ( ) Statement of the record pursuant to App.R. 9(C).
- ( ) Agreed Statement of the Record pursuant to App.R. 9(D).
- ( ) Transcript of Proceedings. ( ) Less than or ( ) Greater than 100 pages.  
( ) Full or ( ) Partial transcript has been ordered. If partial, see App.R. 9(B).

**WARNING:** If a transcript of proceedings is needed, a copy of the notice of appeal and an appropriate praecipe must be served by Appellant on the court reporter. A copy of the praecipe to the court reporter shall be filed with this Court showing service of the notice of appeal and praecipe upon the court reporter.

NAME OF COURT REPORTER, DATE SERVED \_\_\_\_\_

Please state with particularity which exhibits and/or evidence, other than paper exhibits or documentary evidence not of unusual bulk or weight, the parties request be transmitted as part of the record on appeal. (See APP.R. 10(B); Loc.App.R. 8(C)) \_\_\_\_\_

E. CRIMINAL CASE

- 1. CHARGE: \_\_\_\_\_
- 2. DEGREE: ( ) Misdemeanor ( ) Felony
- 3. Is this an appeal of probation revocation? ( ) Yes ( ) No. If yes, what was the original charge and sentence? \_\_\_\_\_
- 4. Is this an appeal of Post-Conviction Relief? (R.C. 2953.21) ( ) Yes ( ) No. If yes, was a hearing held in the trial court? ( ) Yes ( ) No. What was the original charge and sentence? \_\_\_\_\_
- 5. Type of Appeal: (Check One)
  - ( ) Appeal as of Right ( ) State's Appeal as of Right (R.C. 2945.67(A))
  - ( ) Appeal by Leave of Court (App.R. 5) ( ) State's Appeal by Leave of Court
- 6. Is this an appeal for review of sentencing pursuant to R.C. 2953.08? ( ) Yes ( ) No.
- 7. Was counsel appointed for trial? ( ) Yes ( ) No.
- 8. Was counsel appointed for appeal? ( ) Yes ( ) No.
- 9. Was a stay of sentence requested in trial court? ( ) Yes ( ) No If yes, stay was: GRANTED DENIED PENDING

F. CIVIL CASE

- 1. ACTION BROUGHT IN LOWER COURT: \_\_\_\_\_
- 2. Did this action originate in a Trial Court or in an Administrative Agency? Indicate which.
  - ( ) County Court ( ) Municipal Court ( ) Common Pleas Court ( ) Administrative Agency
  - ( ) Probate Court ( ) Family Court ( ) Juvenile Court ( ) Other \_\_\_\_\_
- 3. Must this case be expedited as being one of the following types: ( ) Yes ( ) No. If yes, check one of the following:
  - ( ) Appeal under determination of local fiscal emergency brought by municipal corporation R.C. 118.04(C)
  - ( ) Appeal brought by minor child under R.C. 2505.073
  - ( ) Appeal involving matters of child custody, allocation of parental rights or responsibilities, or designation of a child's place of residence and legal custodian under R.C. 3109.04(H) and R.C. 3109.06.
  - ( ) Appeal from orders granting or denying (1) termination of parental rights or (2) adoption of a minor child.(See App. R. 11.2 effective July I, 2000) See Loc. R. 7
  - ( ) Appeal from orders regarding dependent, abused, neglected, unruly, or delinquent children. (See App. R. 11.2 effective July I, 2000) See Loc. R. 7
  - ( ) Election contests as provided in R.C. 3515.08
- 4. Do you know of another case pending in this Court which raises the same issue(s)? ( ) Yes ( ) No. If yes, please cite case(s). \_\_\_\_\_
- 5. Have you determined in good faith that the judgment appealed from is a final appealable order? (R.C. 2505.02) ( ) Yes ( ) No.
- 6. Did the judgment dispose of all claims by and against all parties? ( ) Yes ( ) No.
- 7. If not, is there an express determination that there is "no just reason for delay"? (Civ.R. 54(B)) ( ) Yes ( ) No.
- 8. Was a stay of judgment requested in trial court? ( ) Yes ( ) No If yes, stay was: GRANTED DENIED PENDING

CERTIFICATION

I certify that the information provided on this docketing statement is accurate.

\_\_\_\_\_  
 Signature of Counsel (or Party if not represented by Counsel)  
 & Supreme Court Reg. No. \_\_\_\_\_

(Revised Effective April 30, 2014)

## Court Reporters

### **Accuscribes Reporting Ltd.**

Pat Thorton  
P.O. Box 2466  
Lancaster, Ohio 43130  
740-689-1680

### **PRI Court Reporting, LLC**

398 Washington Avenue  
Columbus, Ohio 43215  
614-460-5000, 1-800-229-0675  
Fax: 614-460-5566  
[www.PRIOHIO.com](http://www.PRIOHIO.com)

### **Rawson Reporting Services, LLC**

Lisa B. Rawson  
129 James Avenue  
Heath, Ohio 43056  
740-522-8143

### **Ellen Riggs, Court Reporter**

Hocking County Common Pleas Court  
1 East Main Street  
Logan, OH 43138  
740-385-8384

### **Runfola Court Reporting**

9039 Antares Avenue  
Columbus, OH 43240  
614-841-7759  
[www.runfola.com](http://www.runfola.com)

### **Spectrum Reporting, LLC**

333 E. Stewart Avenue  
Columbus, Ohio 43206  
614-444-1000, 1-800-635-9071  
[www.spectrumreporting.com](http://www.spectrumreporting.com)

### **Tahyi Video and Court Reporting**

Peggy Tahyi  
334 Main Street  
Zanesville, Ohio 43701  
740-454-7157, 1-800-526-6508

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