

APPEAL to the 5TH DISTRICT COURT OF APPEALS

You will need to submit all of the following documents:

- Notice of Appeal
- 5th District Court of Appeals Docketing Statement
- Praecipe for Transcript

***A Notice of Appeal must be filed no later than 30 days after the date a final appealable order is filed. The attached are only the initial documents required to preserve your rights to file an Appeal. Additional documents will be necessary for your case to proceed in the 5th District Court of Appeals which are not available through this Kiosk / Website.

Please make sure that ALL of your documents are completely filled out and are signed, dated and notarized (where required).



**IN THE COURT OF COMMON PLEAS
FAMILY COURT DIVISION
STARK COUNTY, OHIO**

Appellant

(Address)

vs.

Appellee

(Address)

Case # _____

NOTICE OF APPEAL

Notice is hereby given that _____ (name of Plaintiff/Defendant) hereby
appeals to the Court of Appeals of Stark County, Ohio, Fifth Appellate District from the
Order/Judgment entered in this action on _____ (date that Order/Judgment
was filed).

Signature of Appellant

Telephone Number _____

INSTRUCTIONS FOR SERVICE

To the Clerk:

Please serve a copy of this Order and any accompanying documents to the opposing party and their Attorney of Record.

OHIO FIFTH DISTRICT COURT OF APPEALS
DOCKETING STATEMENT

Trial Court Judge _____

Trial Court No. _____

Trial Court Caption: _____

Plaintiff - () Appellant () Appellee () Cross Appellant
() Cross Appellee (Check all that apply)

-vs-

Defendant - () Appellant () Appellee () Cross Appellant
() Cross Appellee (Check all that apply)

Appeal No. _____

Plaintiff's Counsel or Unrepresented Party: _____

Address: _____

Phone: _____ E-Mail: _____

Defendant's Counsel or Unrepresented Party: _____

Address: _____

Phone: _____ E-Mail: _____

List any additional parties/attorneys/GAL and their addresses on an attached sheet.

A. DATES of the judgment being appealed: _____

Time to Appeal extended per App.R. () Yes () No

Specify Reason: _____

B. () A time-stamped copy of the judgment entry or order which makes your case appealable as well as a copy of all other judgment entries being appealed is attached. **THIS IS A REQUIREMENT. FAILURE TO DO SO MAY RESULT IN A DISMISSAL.**

C. PROBABLE ISSUES FOR REVIEW: _____

D. () **This is an Interlocutory Marsy's Law Appeal. See R.C. 2930.19(A)(2)(b). (Case has not concluded in trial court.)**

E. THIS APPEAL SHOULD BE ASSIGNED TO: (Check one)

() The regular calendar. () The accelerated calendar. See Loc.R.6(B) and App.R. 11.1.

F. THE RECORD: This Docketing Statement serves 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 already been prepared. It is a () Full or a () 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 the 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 filled with this Court showing service of the notice of appeal and praecipe upon the court reporter.

G. CRIMINAL CASE

1. CHARGE (s): _____
2. DEGREE: () Misdemeanor () Felony () Trial () Guilty/No Contest Plea
3. 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? _____
4. Type of Appeal: (Check One)
() Appeal as of Right () State's Appeal as of Right (R.C. 2945.67(A), Crim.R 12(K) & Loc.R. 7) (Expedited)
() Appeal by Leave of Court (App.R. 5) () State's Appeal by Leave of Court
5. Is this an appeal for review of sentencing pursuant to R.C. 2953.08? () Yes () No
6. Was counsel appointed for trial? () Yes () No
7. Was counsel appointed for appeal? () Yes () No **To request appointed counsel, you must file a separate motion per Loc. R. 3.**

H. 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 () Board of Tax Appeals
() Probate Court () Family Court () Juvenile Court () Court of Claims () Other _____
3. Must this case be expedited as being one of the following types: () Yes () No. If yes, check one of the following:
() Appeal from orders granting or denying (1) termination of parental rights; (2) adoption of a minor child; (3) abortion without parental consent. See App.R. 11.2, Loc.R. 7 & App.R. 11(B).
() Appeal from orders regarding dependent, abused, neglected, unruly, or delinquent children. See App.R. 11.2, Juv.R. 22(F) & Loc.R. 7.
() 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) & R.C. 3109.06.
() Appeal under determination of local fiscal emergency brought by municipal corporation. R.C. 118.04(C).
() 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) or is related to this case? () Yes () No. If yes, please cite case(s): _____
5. Have you determined in good faith the judgment appealed from is a final appealable order? (R.C. 2505.02) () Yes () No.
6. Was a stay of judgment requested in trial court? () Yes () No If yes, stay was: () GRANTED () DENIED () PENDING

I. MEDIATION:

1. Have the parties previously participated in mediation in this dispute: () Yes () No
2. Would a mediation conference assist in the resolution of this matter? () Yes () No () Maybe

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 Registration Number

**IN THE COURT OF COMMON PLEAS
FAMILY COURT DIVISION
STARK COUNTY, OHIO**

Plaintiff	:	Case # _____
	:	
	:	
	:	
v.	:	Judge _____
	:	
	:	
	:	
Defendant	:	<u>PRAECIPE FOR TRANSCRIPT</u>
	:	

Please prepare the Transcript of the Proceedings of the hearing in the above-captioned case, heard by Magistrate/Judge _____ on _____ (date). (Record # _____)

Deposit for said Transcript to be paid by _____.
If the deposit is not paid to the Court Transcriptionist within seven (7) days from the date of the filing of the Notice of Appeal, the Transcription will not be completed.

I respectfully request that the Transcript be completed within 30 days of the date of filing of this Praecipe.

Signature of Plaintiff

Telephone number _____

Acknowledgment of Transcriptionist

_____ (date)