# CAPTION: LIGGETT V. LIGGETT

**12-28-22**

APPEAL NO.: C-220183

TRIAL NO.: DR-1800802

KEY WORDS: CONTEMPT — EVIDENCE — CIV.R. 75(J) — DIVORCE DECREE — SPOUSAL SUPPORT — CONTINUING JURISDICTION

SUMMARY:

The trial court erred by finding that it was prevented from considering evidence outside of wife’s motion for contempt when ruling on husband’s motion to dismiss where wife’s motion for contempt was a postdecree motion filed under Civ.R. 75(J) and was not a “pleading.”

The trial court erred by finding that it was without jurisdiction to grant wife the relief requested in her motion for contempt as the trial court had continuing jurisdiction to enforce the provisions of the separation agreement, which was incorporated into the divorce decree, and wife was requesting an order finding that husband was in contempt for violating the divorce decree and was not seeking to modify the separation agreement.

JUDGMENT: REVERSED AND CAUSE REMANDED

JUDGES: OPINION by ZAYAS, P.J.; CROUSE and WINKLER, JJ., CONCUR.