# CAPTION: IN RE: E.H.

**02-17-23**

APPEAL NO.: C-220079

TRIAL NO.: F10-00246Z

KEY WORDS: CUSTODY MODIFICATION – JUVENILE – R.C. 3109.04 – GUARDIAN AD LITEM – EVIDENCE

SUMMARY:

 The trial court’s failure to recite the legal standard of R.C. 3109.04(E)(1) in modifying a prior custody decree did not rise to the level of plain error where no manifest injustice occurred and nothing in the record suggested that the outcome of the proceedings would have differed.

 The trial court did not abuse its discretion in denying mother’s motion to discharge the guardian ad litem and strike the guardian ad litem’s testimony and report from the record where the guardian ad litem sufficiently discharged her duties.

 The trial court did not err in finding that mother denied father’s parenting time where the court’s finding was supported by competent, credible evidence.

JUDGMENT: AFFIRMED

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