

**IN THE COURT OF APPEALS**  
**FIRST APPELLATE DISTRICT OF OHIO**  
**HAMILTON COUNTY, OHIO**

SOLOMAN TENTMAN,	:	APPEAL NO. C-220391
	:	TRIAL NO. DR2200130
Plaintiff-Appellant	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
REBECCA BARBARETTE,	:	
	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.

Plaintiff-appellant Soloman Tentman appeals the decision of the Hamilton County Court of Common Pleas, Domestic Relations Division, holding that it lacked jurisdiction to rule on his complaint for divorce from defendant-appellee Rebecca Barbarette. We find no merit in his two assignments of error, and we affirm the trial court’s judgment.

In his first assignment of error, Tentman contends that the magistrate erred by “deciding to dismiss the case.” In his second assignment of error, he contends that the trial court erred by overruling his motion to set aside the magistrate’s decision. These assignments of error are not well taken.

Most of Tentman’s arguments are based on “sovereign citizen” and “redemptionist” theories, which courts have found to be frivolous. *See Furr v. Ruehlman*, Slip Opinion 2023-Ohio-481, ¶ 9-10; *Capital One (U.S.A.), N.A. v. McCladdie*, 8th Dist. Cuyahoga No. 111289, 2022-Ohio-4082, ¶ 15; *Sullivan v.*

*Monument Homes, Inc.*, 10th Dist. Franklin No. 19AP-814, 2020-Ohio-2846, ¶ 25; *State v. Few*, 2d Dist. Montgomery No. 25969, 2015-Ohio-2292, ¶ 5-6. Further, Ohio courts have rejected claims by litigants that their purported status as sovereign citizens divests the state of jurisdiction absent consent. *See Furr* at ¶ 10; *Sullivan* at ¶ 25.

As to the merits of the trial court's judgment, we first note that Tentman failed to provide a transcript of the proceedings before the magistrate. Where the appellant fails to file a copy of the transcript with his or her objections, the trial court presumes that the magistrate's findings are correct. *Gregory v. Gregory*, 1st Dist. Hamilton No. C-180444, 2019-Ohio-5210, ¶ 21-22; *Stricker v. Stricker*, 1st Dist. Hamilton No. C-060435, 2007-Ohio-3309, ¶ 11-12. A trial court may adopt the magistrate's findings of fact without independently reviewing the evidence where the party objecting to the magistrate's decision has failed to provide a transcript of the proceedings. *Stricker* at ¶ 12.

The record shows that a divorce proceeding was already pending in Tennessee. The Tennessee court had assumed jurisdiction and issued orders about property division, custody of the parties' minor child, and visitation with that child. "When a court of competent jurisdiction acquires jurisdiction of the subject matter of an action, its authority continues until the matter is completely and finally disposed of, and no court of co-ordinate jurisdiction is at liberty to interfere with its proceedings." *State ex rel. Sellers v. Gerken*, 72 Ohio St.3d 115, 117, 647 N.E.2d 807 (1995), quoting *John Weenink & Sons Co. v. Cuyahoga Cty. Court of Common Pleas*, 150 Ohio St. 349, 82 N.E.2d 730 (1948), paragraph three of the syllabus. Therefore, the trial court lacked jurisdiction to entertain Tentman's complaint for divorce.

As to issues relating to the parties' minor child, the trial court correctly determined that Tennessee was the home state of the child within the meaning of the

Uniform Child Custody Jurisdiction and Enforcement Act, as codified in R.C. Chapter 3127. The Tennessee court made the initial custody order and had exclusive and continuing jurisdiction as long as Barbarette and the child continued to live in Tennessee. *See* R.C. 3127.16; *Rosen v. Celebreeze*, 117 Ohio St.3d 241, 2008-Ohio-853, 883 N.E.2d 420, ¶ 21; *State ex rel. N.G. v. Cuyahoga Cty. Court of Common Pleas, Juvenile Div.*, 8th Dist. Cuyahoga No. 101425, 2014-Ohio-4390, ¶ 14. Consequently, the trial court did not err in finding that it was without jurisdiction and dismissing the complaint. *See* R.C. 3127.20. We overrule Tentman’s two assignments of error and affirm the trial court’s judgment.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**BERGERON, P.J., WINKLER and KINSLEY, JJ.**

To the clerk:

Enter upon the journal of the court on May 3, 2023  
per order of the court \_\_\_\_\_  
Administrative Judge