

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

BREANNA COBBS,	:	APPEAL NO. C-230084
	:	TRIAL NO. P10-2247Z
and	:	
HAMILTON COUNTY CHILD	:	
SUPPORT ENFORCEMENT AGENCY,	:	
Plaintiffs-Appellees,	:	
vs.	:	
CHARLES L. HORTON, III,	:	
Defendant-Appellant.	:	

CANDICE BOOKER,	:	APPEAL NO. C-230085
	:	TRIAL NO. P96-1703Z
and	:	
HAMILTON COUNTY CHILD	:	
SUPPORT ENFORCEMENT AGENCY,	:	
Plaintiffs-Appellees,	:	
vs.	:	
CHARLES HORTON,	:	
Defendant-Appellant.	:	

CANDICE BOOKER,	:	APPEAL NO. C-230086
	:	TRIAL NO. P12-832Z
and	:	
HAMILTON COUNTY CHILD	:	
SUPPORT ENFORCEMENT AGENCY,	:	
Plaintiffs-Appellees,	:	
vs.	:	

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CHARLES L. HORTON, III, :
Defendant-Appellant. :

WILMA MATTRESS, : APPEAL NO. C-230087
and : TRIAL NO. P12-2557Z

HAMILTON COUNTY CHILD :
SUPPORT ENFORCEMENT AGENCY, :
Plaintiffs-Appellees, :

vs. :

CHARLES L. HORTON, III, :
Defendant-Appellant. :

TAMYA EDWARDS, : APPEAL NO. C-230088
and : TRIAL NO. P21-1003Z

HAMILTON COUNTY CHILD :
SUPPORT ENFORCEMENT AGENCY, :
Plaintiffs-Appellees, :

vs. :

CHARLES L. HORTON, III, :
Defendant-Appellant. :

JUDGMENT ENTRY.

The court sua sponte removes this cause from the regular calendar and places it on the court's accelerated calendar, 1st Dist. Loc.R. 11.1(C)(1), 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.

In each of these consolidated appeals, the juvenile court found defendant-appellant Charles L. Horton, III, in contempt on January 27, 2023, for failing to comply with the juvenile

court's child-support orders. Horton now appeals each respective judgment, raising four assignments of error.

In his first and fourth assignments of error, he argues that the juvenile court erred as a matter of law by adopting “a void administrative default order” issued by the Hamilton County Child Support Enforcement Agency (“the agency”) because the agency lacked the authority to enter the order, and the administrative process constitutes an impermissible transfer of judicial power. However, Horton fails to point to any specific administrative order in any underlying cause that he is challenging as void and fails to develop an argument for why any particular administrative order is void. “It is not the duty of an appellate court to search the record for evidence to support an appellant’s argument as to any alleged error.” *Tyra v. Tyra*, 1st Dist. Hamilton No. C-210392, 2022-Ohio-2504, ¶ 23, citing *Heimann v. Heimann*, 3d Dist. Hancock No. 5-21-11, 2022-Ohio-241, ¶ 49. “In the interest of justice, we will consider all cognizable contentions presented but will not create an argument if a pro se litigant fails to develop one.” *Marreez v. Jim Collins Auto Body, Inc.*, 1st Dist. Hamilton No. C-210192, 2021-Ohio-4075, ¶ 4, citing *Fontain v. Sandhu*, 1st Dist. Hamilton No. C-200011, 2021-Ohio-2750, ¶ 15. Under App.R. 16(A)(7), an appellant must support each assignment of error with citations to the authorities, statutes, and parts of the record relied upon. *Id.* Horton fails to do so. Under App.R. 12(A)(2), this court may disregard any assignment of error which fails to comply with App.R. 16(A). *Id.* at ¶ 5. Therefore, we disregard Horton’s first and fourth assignments of error for failure to comply with App.R.16(A).

In his second assignment of error, Horton argues that the trial court erred as a matter of law by “not answering rule 5.1 constitutional challenge to a statute. 2705.03 et seq. and 3109.05.” This court construes Horton’s argument as referring to Fed.R.Civ.P. 5.1. However, the Federal

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Rules of Civil Procedure only govern the procedure in United States district courts, not state courts. *See* Fed.R.Civ.P. 1. Therefore, we overrule Horton’s second assignment of error.

Finally, in his third assignment of error, Horton appears to argue that the trial court deprived him of due process by not requiring strict adherence to the Ohio Constitution, Article I, Section 16, and Article II, Section 1. However, Horton fails to point to any specific actions of the trial court which allegedly deprived him of due process and fails to develop any specific argument as to why he was deprived of due process in any underlying cause. Again, it is not the duty of this court to search the record for evidence to support an appellant’s assignment of error, and we will not create an argument where a pro se litigant fails to develop one. *Tyra* at ¶ 23; *Marreez* at ¶ 4. Therefore, we disregard Horton’s third assignment of error since Horton failed to support his assignment of error as required under App.R. 16(A).

Because we disregard Horton’s first, third, and fourth assignments of error and overrule his second assignment of error, we affirm the judgments of the juvenile court.

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

CROUSE, P.J., ZAYAS and BERGERON, JJ.

To the clerk:

Enter upon the journal of the court on January 24, 2024,
per order of the court_____.

Administrative Judge