

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

YEHIA MARREEZ,	:	APPEAL NO. C-240552
	:	TRIAL NO. 24CV12691
Plaintiff-Appellant,	:	
vs.	:	
	:	<i>JUDGMENT ENTRY</i>
BRYANT HEATING & COOLING,	:	
Defendant-Appellee.	:	

This court sua sponte removes this cause from the regular calendar and places it on the court's accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); Loc.R. 11.1.

Plaintiff-appellant Yehia Marreez, pro se, sued defendant-appellee Bryant Heating & Cooling, alleging that Bryant's technicians damaged one of his air conditioning units and caused it to stop working. Following a bench trial, the magistrate entered judgment for Bryant, and the judge adopted the magistrate's decision.

On appeal, Marreez raises three assignments of error. Before addressing his arguments, it is necessary to clarify an error in Marreez's briefing. Marreez states that the court should not have dismissed his claim. However, Marreez was afforded a full bench trial. Accordingly, Marreez's assertion that his claim was dismissed is not correct.

Taking Marreez's assignments of error on appeal out of turn, we turn first to his second assignment of error. In his second assignment of error, Marreez asserts

OHIO FIRST DISTRICT COURT OF APPEALS

that the court relied upon invalid legal factors, such as lack of jurisdiction, failure to join a party, failure to prosecute and failure to show a right of relief. However, Marreez fails to show that any of these factors were considered by the court. “An appellate court may disregard an assignment of error presented for review ‘if the party raising it fails to identify in the record the error on which the assignment of error is based.’” *Fontain v. Sandhu*, 2021-Ohio-2750, ¶ 14 (1st Dist.), citing App.R. 12(A)(2); App.R. 16(A). While we afford pro se litigants leeway in putting forth legal arguments, we do not absolve these litigants of their burden to put forth a cognizable argument, nor will we create arguments on their behalf. *Borthwick v. Dept. of Bldgs. and Inspections*, 2022-Ohio-1335, ¶ 7 (1st Dist.). Accordingly, because Marreez fails to identify any record evidence to support his assertions, we disregard Marreez’s second assignment of error.

As to Marreez’s first assignment of error, the court did not err in admitting the testimony of Byrant’s technicians. “Small claims court proceedings are reviewed for an abuse of discretion.” *S.W. Ohio Regional Transit Auth. v. Sweeten*, 2024-Ohio-1383, ¶ 10 (1st Dist.). A trial court abuses its discretion where it exercises “its judgment in an unwarranted way, in regard to a matter over which it has discretionary authority.” *Stewart v. Stewart*, 2025-Ohio-1635, ¶ 8 (1st Dist.). Because the rules of evidence do not apply to small-claims proceedings, “the reliability, credibility, and admissibility of evidence are determined by the trial court.” *Cunningham v. Michael J. Auto Sales*, 2021-Ohio-1390, ¶ 17-18 (1st Dist.). Based on the record before this court, we cannot say that the court abused its discretion. Therefore, Marreez’s first assignment of error is overruled.

OHIO FIRST DISTRICT COURT OF APPEALS

Similarly, Marreez’s third assignment of error is meritless. Marreez asserts the court below was biased and that the court failed to consider elements for better business performance from the Consumer Financial Protection Bureau (“CFPB”).

“[W]e presume that a judge is unbiased and unprejudiced in the matters over which he or she presides, and the appearance of bias or prejudice must be compelling in order to overcome the presumption.” *State v. Escobar*, 2021-Ohio-4001, ¶ 37 (1st Dist.), quoting *Cleveland v. Goodman*, 2020-Ohio-2713, ¶ 18 (8th Dist.). “Comments by the trial court ‘that are critical or disapproving of, or even hostile to, counsel, the parties, or their cases, ordinarily do not support a bias or partiality challenge.’” *Escobar* at ¶ 38, quoting *Liteky v. United States*, 510 U.S. 540, 555 (1994). In order to surmount the high bar, judicial remarks must “reveal an opinion that derives from an extrajudicial source; and they will do so if they reveal such a high degree of favoritism or antagonism as to make fair judgment impossible.”

State v. Terry, 2025-Ohio-1195, ¶ 25 (1st Dist.).

Marreez fails to cite to any specific improper statements by the court. In the absence of such evidence, Marreez has failed to demonstrate that the court acted with bias.

Further, Marreez’s reliance on the CFPB is misplaced. Marreez has failed to raise any facts that would support a claim that would fall within the niche purview of the CFPB. See 1 *Anderson’s Ohio Consumer Law* § 7.36 (2025) (stating that the CFPB was created under the Dodd-Frank Wall Street Reform and Protection Act to “ban unfair, deceptive or abusive practices over the entire spectrum of the financial services industry.”). Marreez’s claim arises from the alleged deficient performance of a service

OHIO FIRST DISTRICT COURT OF APPEALS

contract—not deceptive practices in the financial services industry. Accordingly, Marreez’s third assignment of error is overruled.

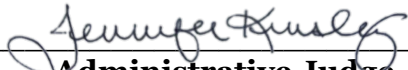
Because this court has either overruled or disregarded each of Marreez’s assignments of error, the judgment of the trial court is affirmed.

The court further orders that 1) a copy of this Judgment constitutes the mandate, 2) the mandate be sent to the trial court for execution under App.R. 27, and 3) costs shall be taxed under App.R. 24.

ZAYAS, P.J., BOCK and MOORE, JJ.

To the clerk:

Enter upon the journal of the court on 6/25/2025 per order of the court.

By:  _____
Administrative Judge