

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

SHA-ANN ARNDTS,	:	APPEAL NO.	C-250378
	:	TRIAL NO.	A-2405210
Plaintiff-Appellant,	:		
vs.	:		
UNIVERSITY OF CINCINNATI MEDICAL CENTER HOSPITAL,	:	<i>JUDGMENT ENTRY</i>	
	:		
Defendant-Appellee.	:		

KINSLEY, Presiding Judge.

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.

This appeal arises from a personal injury lawsuit Sha-Ann Arndts filed against the University of Cincinnati Medical Center Hospital in the Hamilton County Court of Common Pleas. Raising five assignments of error, Arndts appeals the trial court’s judgment “acknowledging” Arndts’s “voluntary dismissal” of her case and denying her motion seeking to withdraw her motion to dismiss and requesting leave to amend her complaint.

“It is well-settled that a voluntary dismissal without prejudice normally is not a final, appealable order because it is not an adjudication on the merits and it leaves the parties as if the action never had been commenced.” (Internal quotations omitted.)

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Reinbolt v. Natl. Fire Ins. Co., 2004-Ohio-4845, ¶ 11 (6th Dist.). On December 6, 2024, Arndts filed a pleading captioned “Motion to Dismiss,” which the trial court correctly treated as a voluntary notice of dismissal under Civ.R. 41(A)(1)(a). See *Perdue v. Handelman*, 68 Ohio App.2d 240, 241 (10th Dist. 1980); *Berning v. State Fid. Fed. S. & L. Assn.*, 1985 Ohio App. LEXIS 7882, *3 (2d Dist. May 17, 1985). Because Arndts’s motion to dismiss was effectively a notice of dismissal under Civ.R. 41(A)(1)(a), this court does not have jurisdiction over this appeal, and we accordingly dismiss this appeal.

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 and BOCK, JJ., concur.

To the clerk:

Enter upon the journal of the court on 3/20/2026 per order of the court.

By: 
Administrative Judge