

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

AIRIAL HARRIS,	:	APPEAL NO.	C-260071
	:	TRIAL NO.	A-2505842
Plaintiff-Appellant,	:		
vs.	:	<i>JUDGMENT ENTRY</i>	
ALIX BOWSER,	:		
Defendant-Appellee.	:		

MOORE, 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.

Plaintiff-appellant Airial Harris, pro se, appeals from the Hamilton County Court of Common Pleas’ dismissal of her civil complaint against Alix Bowser, a caseworker at the Hamilton County Department of Job and Family Services.

Harris’s complaint alleged that her children were removed from her home, and when she visited Bowser’s office to understand why her children were removed, Bowser was “impolite.”

In her complaint, Harris requested the return of her children and that Bowser pay her \$15,000 for “emotional distress.” Bowser filed a motion to dismiss pursuant to Civ.R. 12(B)(1) and (6).

The court granted Bowser's motion to dismiss, finding that under R.C. 2151.23(A)(1), it lacked jurisdiction to return Harris's children to her. The court also found that under R.C. 2744.03(A)(6), Bowser was statutorily immune from suit.

This appeal followed.

Harris's sole assignment of error is that "The Magistrate's granting the HCJFS's caseworkers' Motion to Dismiss with prejudice pursuant to Civ.R. 12(B)(1) and Civ.R. 12(B)(1) [sic] was of error." In support, Harris asserts only that she "could not defend [herself] against the caseworker with the exhibits from the case complaint from this Motion being granted."

Harris's brief fails to cite to the record or refer to any case law in support of her argument that the court's dismissal of her complaint was erroneous. Instead, Harris refers to the dependency proceedings that led to her children being removed from her home. The record of that proceeding is not before this 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.). Because Harris's brief fails to comply with App.R. 16, we decline to consider her assignment of error.

But even if we did consider her argument as it relates to the return of her children, her appeal would fail.

Juvenile courts have exclusive jurisdiction over child dependency cases. R.C. 2151.23(A)(1). Therefore, the Hamilton County Court of Common Pleas lacked the

OHIO FIRST DISTRICT COURT OF APPEALS

requisite jurisdiction to reunite Harris with her children. *See Patton v. Diemer*, 35 Ohio St.3d 68, 70 (1988) (holding a court is powerless to act without jurisdiction).

Because we have disregarded Harris's assignment of error, the judgment of the trial court is affirmed.

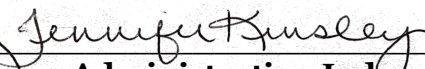
The court further orders that (1) a copy of this Judgment constitutes the mandate, (2) the mandate be sent to the trial court for execution under App.R. 27, and (3) costs shall be taxed under App.R. 24.

BOCK, P.J., and **NESTOR, J.**, concur.

To the clerk:

Enter upon the journal of the court on 8/19/2026.

Pursuant to App.R. 30, the clerk is directed to send all parties, or their counsel if represented, a copy of the court's judgment and note such action on the docket.

By: 
Administrative Judge