

**Berea Municipal Court**  
**11 Berea Commons, Berea, Ohio 44017 (440) 826-5860**

**Sean Kilbane**  
**Judge**

**Joseph C. DeMio**  
**Clerk of Courts**

Information and Instructions for the filing of:

**OBJECTIONS TO MAGISTRATE'S REPORT/DECISION**

As you are aware from the Entry you received regarding the Court Hearing recently attended by you - "EITHER PARTY HAS FOURTEEN (14) DAYS TO FILE AN OBJECTION TO THE MAGISTRATE'S DECISION. ALL OBJECTIONS MUST BE ACCOMPANIED BY A \$10.00 FILING FEE. THE PARTIES MUST SERVE A COPY OF THE OBJECTION ON THE OTHER SIDE VIA REGULAR MAIL. IF NO OBJECTION IS FILED, THIS DECISION WILL BECOME THE FINAL ORDER OF COURT".

Please check the date's to make sure and to verify that you are timely with your filing of Objections.

Ohio Civil Rule 53(E) (3) (a) - Time for Filing.

Within fourteen days of the filing of a Magistrate's Decision, a party may file written objections to the Magistrate's Decision. The time for filing objections begins to run when the Magistrate files a Decision.

Ohio Civil Rule 53(E) (3) (b) - Form of Objections.

Objections shall be ***SPECIFIC*** and they shall State with Particularity the Grounds of Objection.

Ohio Civil Rule 53(E) (4) (a) - When Effective.

The Magistrate's Decision shall become effective when adopted by the Court.

Ohio Civil Rule 53(E) (4) (b) - Disposition of Objections.

The Court shall rule on any Objections. The Court may adopt, reject or modify the Magistrate's Decision.

If you wish to proceed, please prepare and submit the Objection to Magistrate's Decision, which is available at [www.bereamunicipalcourt.org](http://www.bereamunicipalcourt.org), to the Court. Either party has fourteen (14) days to file an objection to the Magistrate's decision. All objections must be accompanied by a \$10.00 filing fee and **one** of the following: a) A transcript prepared, at your expense, from the courtroom's recording; b) If a court reporter was hired by either party, and was present at the time of the hearing, a certified transcript prepared by that court reporter and paid for by either the objecting Plaintiff or objecting Defendant; c) An affidavit of evidence if a transcript is not available. **NOTE: If no objection is filed, this Magistrates finding may become the final order of the Court. A party shall not assign error or appeal of any fact or conclusion of law unless the party filed a timely objection under Civil Rule 53(E)(3).**

IN THE BEREA MUNICIPAL COURT

CUYAHOGA COUNTY, OHIO

\_\_\_\_\_ )  
 Plaintiff )  
 )  
 -v- )  
 )  
 \_\_\_\_\_ )  
 Defendant )  
 )

CASE NO.: \_\_\_\_\_

**OBJECTIONS TO  
MAGISTRATE'S REPORT/DECISION**

I state that I am the Plaintiff/Defendant in the above captioned matter, and that on  
 (Please Select)  
 the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a Hearing was had in the Berea Municipal Court before  
 a Magistrate. A decision was rendered for the Plaintiff/Defendant.  
 (Please Select)

I SPECIFICALLY state the GROUNDS of my Objection/s as follows:

I hereby request that this Honorable Court rule on the above Objections and either adopt, reject, or modify the Magistrate's Report/Decision.

**SERVICE:** I have filed the originals with the Court, and have mailed copies to all other parties by Regular Mail.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name