

ATTENTION
DIRECT ANY QUESTIONS ABOUT THE ANNOUNCEMENT TO WALTER S. KOBALKA,
REPORTER OF DECISIONS, AT (614) 466-4961 OR 1-800-826-9010.

SUPREME COURT OF OHIO
COLUMBUS

ANNOUNCEMENT

1:00 P.M.

WEDNESDAY
December 30, 1992

MERIT DOCKET

91-1675. State v. Murphy.
Marion County. Appeal from the Court of Appeals for Marion County, No.
9-87-35. Judgment affirmed.

Sweeney, Holmes, Douglas and Resnick, JJ., concur.
Moyer, C.J., Wright and H. Brown, JJ., dissent.

91-1776. Cleveland City School Dist. Bd. of Edn. v. Don M. Hisaka &
Associates, Inc.
Cuyahoga County. Appeal from the Court of Appeals for Cuyahoga County,
No. 60374. Sua sponte, cause dismissed as having been improvidently
allowed.

Moyer, C.J., Sweeney, Holmes, Douglas, Wright, H. Brown and Resnick,
JJ., concur.

91-1792 and 91-2486. Ohio Dept. of Liquor Control v. Sons of Italy Lodge
0917.

Franklin County. Appeal from and Certified by the Court of Appeals for
Franklin County, No. 90AP-1359. Judgment reversed and cause remanded.

Moyer, C.J., Sweeney, Holmes, Wright, H. Brown and Resnick, JJ.,
concur.

Douglas, J., not participating.

91-2353. State ex rel. Hanson v. Guernsey Cty. Commrs.
Guernsey County. Appeal from the Court of Appeals for Guernsey County,
No. 91-CA-08. Judgment reversed and cause remanded.

Moyer, C.J., Sweeney, Douglas, H. Brown and Resnick, JJ., concur.
Holmes and Wright, JJ., dissent.

92-150. State ex rel. B & C Machine Co. v. Indus. Comm.
Franklin County. Appeal from the Court of Appeals for Franklin County,
No. 90AP-624. Judgment affirmed.

Sweeney, Douglas, H. Brown and Resnick, JJ., concur.
Moyer, C.J., Holmes and Wright, JJ., dissent.

REHEARING DOCKET

91-1479. Wayne Smith Constr. Co. v. Wolman, Duberstein & Thompson.
Franklin County, No. 91AP-38. Reported at Ohio St.3d ,
N.E.2d . On motion for rehearing. Rehearing denied.
Sweeney and Douglas, JJ., dissent.

91-1611. Wyatt v. Wyatt.
Franklin County, No. 90AP-1373. Reported at 65 Ohio St.3d 268,
N.E.2d . On motion for rehearing. Rehearing denied.
Sweeney, Douglas and Resnick, JJ., dissent.

91-1639. Rambaldo v. Accurate Die Casting.
Cuyahoga County, No. 58588. Reported at 65 Ohio St.3d 281,
N.E.2d . On motion for rehearing. Rehearing denied.
Sweeney, Douglas and Resnick, JJ., dissent.

91-1640. Rini v. East Cleveland.
Cuyahoga County, No. 58589. Reported at Ohio St.3d ,
N.E.2d . On motion for rehearing. Rehearing denied.
Sweeney, Douglas and Resnick, JJ., dissent.

91-1748. State v. Brown.
Stark County, No. CA-8392. Reported at Ohio St.3d ,
N.E.2d . On motion for rehearing. Rehearing denied.
Sweeney, Wright and H. Brown, JJ., dissent.

91-2000. Williams v. Aetna Finance Co.
Hamilton County, No. C-900663. Reported at 65 Ohio St.3d 1203,
N.E.2d . On motion for rehearing. Rehearing denied.
Holmes and Wright, JJ., dissent.
Resnick, J., not participating.

91-2112. In re Guardianship of Rudy.
Trumbull County, Nos. 90-T-4398 and 90-T-4416. Reported at Ohio
St.3d , N.E.2d . On motion for rehearing. Rehearing denied.

91-2273. Lawyers Cooperative Publishing Co. v. Muething.
Hamilton County, No. C-900582. Reported at 65 Ohio St.3d 273,
N.E.2d . On motion for rehearing. Rehearing denied.

91-2294. State ex rel. Weiss v. Indus. Comm.
In Mandamus. Reported at Ohio St.3d , N.E.2d . On
motion for rehearing. Rehearing denied.

91-2317. Babcock & Wilcox Co. v. Stark Cty. Bd. of Revision.
Appeal from the Board of Tax Appeals, No. 89-J-961. Reported at 65 Ohio
St.3d 290, N.E.2d . Sua sponte, the fourth sentence of the
penultimate paragraph of the court's opinion in this cause (65 Ohio St.3d
at 292, N.E.2d at) is modified to read as follows: "We reach our
conclusion because there was evidence in the record upon which the BTA
might have determined value. Moreover, on April 15, 1992, we granted
appellant's motion to supplement the record by including the additional
appraisers' reports submitted to the board of revision. Based upon its

review of those reports and other evidence before it, the BTA should determine the true value of appellant's real property."

The balance of the opinion shall remain as reported.

Moyer, C.J., Sweeney, Holmes, Douglas, Wright, H. Brown and Resnick, JJ., concur.

91-2483. State ex rel. Smith v. Columbus City Schools.
Franklin County, No. 90AP-849. Reported at Ohio St.3d ,
N.E.2d . On motion for rehearing. Rehearing denied.
Moyer, C.J., Holmes and Wright, JJ., dissent.

91-2484. State ex rel. Brown v. Columbus City Schools.
Franklin County, No. 90AP-847. Reported at Ohio St.3d ,
N.E.2d . On motion for rehearing. Rehearing denied.
Moyer, C.J., Holmes and Wright, JJ., dissent.

91-2569. M.S. Osher, M.D. & R.S. Kerstine, M.D., Inc. v. Limbach.
Appeal from the Board of Tax Appeals, No. 89-C-442. Reported at 65 Ohio
St.3d 312, N.E.2d . On motion for rehearing. Rehearing denied.

92-473. Chicago Pacific Corp. v. Limbach.
Appeal from the Board of Tax Appeals, No. 89-A-1021. Reported at
Ohio St.3d , N.E.2d . On motion for rehearing. Rehearing
denied.

92-986. State v. Cook.
Hamilton County, No. C-900676. Reported at Ohio St.3d ,
N.E.2d . On motion for rehearing. Rehearing denied.

92-1348. Disciplinary Counsel v. Baker.
Reported at Ohio St.3d , N.E.2d . On motion for
rehearing. Rehearing denied.
Douglas and Resnick, JJ., dissent.

92-1435. Ohio Domestic Violence Network v. Pub. Util. Comm.
Public Utilities Commission, Nos. 90-467-TP-ATA and 90-471-TP-ATA.
Reported at Ohio St.3d , N.E.2d . On motion for
rehearing. Rehearing denied.

92-1655. Carrelli v. Goodwin.
Clinton County, No. CA91-08-020. Reported at 65 Ohio St.3d 1454,
N.E.2d . On motion for rehearing. Rehearing denied.

92-1794. State v. Rice.
Fulton County, No. 91-FU-18. Reported at 65 Ohio St.3d 1459,
N.E.2d . On motion for rehearing. Rehearing denied.
Moyer, C.J., and H. Brown, J., dissent.

92-1864. State ex rel. Markulin v. Ashtabula Cty. Bd. of Elections.
In Mandamus. Reported at 65 Ohio St.3d 180, N.E.2d . On motion
for rehearing. Rehearing denied.

92-1908. Mosier v. Mosier.
Franklin County, No. 92AP-690. Reported at 65 Ohio St.3d 1478,
N.E.2d . On motion for rehearing. Rehearing denied.

92-1948. State v. DePew.

Butler County, No. CA90-09-187. Reported at 65 Ohio St.3d 1475,
N.E.2d . On motion for rehearing. Rehearing denied.

92-1987. Leber v. Smith.

Erie County, No. E-87-43. Reported at 65 Ohio St.3d 1475,
N.E.2d . On motion for rehearing. Rehearing denied.

Sweeney and Douglas, JJ., dissent.

Resnick, J., not participating.

MISCELLANEOUS DOCKET

91-1266. In re Application of Keita.

On motion to remand this cause to the Board of Commissioners on Character
and Fitness for further proceedings. Motion denied.

Sweeney, Holmes, Wright and Resnick, JJ., concur.

Moyer, C.J., Douglas and H. Brown, JJ., dissent.