

OPINIONS OF THE SUPREME COURT OF OHIO

The full texts of the opinions of the Supreme Court of Ohio are being transmitted electronically beginning May 27, 1992, pursuant to a pilot project implemented by Chief Justice Thomas J. Moyer.

Please call any errors to the attention of the Reporter's Office of the Supreme Court of Ohio. Attention: Walter S. Kobalka, Reporter, or Deborah J. Barrett, Administrative Assistant. Tel.: (614) 466-4961; in Ohio 1-800-826-9010. Your comments on this pilot project are also welcome.

NOTE: Corrections may be made by the Supreme Court to the full texts of the opinions after they have been released electronically to the public. The reader is therefore advised to check the bound volumes of Ohio St.3d published by West Publishing Company for the final versions of these opinions. The advance sheets to Ohio St.3d will also contain the volume and page numbers where the opinions will be found in the bound volumes of the Ohio Official Reports.

Shepherd, Admr., Appellant, v. United Parcel Service et al., Appellees.

[Cite as Shepherd v. United Parcel Serv. (1993), Ohio St.3d .]

Appeal dismissed as improvidently allowed.

(No. 92-1404 -- Submitted June 3, 1993 -- Decided July 28, 1993.)

Appeal from the Court of Appeals for Scioto County, No. 91 CA 1968.

Waite, Schneider, Bayless & Chesley Co., L.P.A., Stanley M. Chesley, Paul M. De Marco and D. Arthur Rabourn, for appellant.

Campbell, Woods, Bagley, Emerson, McNeer & Herndon and Christopher A. Conley, for appellee United Parcel Service.

Bannon, Howland & Dever, Robert E. Dever and Richard T. Schisler, for appellee Portsmouth Area Growth Foundation, Inc.

This cause is dismissed, sua sponte, as having been improvidently allowed.

A.W. Sweeney, Acting C.J., Christley, Wright and Resnick, JJ., concur.

Douglas, J., dissents.

F.E. Sweeney, J., dissents and would reverse.

Pfeifer, J., dissents and would affirm.

Judith A. Christley, J., of the Eleventh Appellate District, sitting for Moyer, C.J.