

ATTENTION

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

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

MONDAY
September 27, 1993

MERIT DOCKET

93-1575. State ex rel. Bogart v. Cuyahoga Cty. Bd. of Elections.
In Mandamus. This cause originated in this court on the filing of a
complaint for a writ of mandamus regarding an expedited election
matter and was considered in a manner prescribed by law. Upon
consideration of respondent's motion for summary judgment and
relator's request for oral argument,

IT IS ORDERED by the court that the motion for summary judgment
be, and the same is hereby, denied, effective September 16, 1993.

Moyer, C.J., Wright and Pfeifer, JJ., dissent.

IT IS FURTHER ORDERED by the court that the request for oral
argument be, and the same is hereby, denied, effective September 16,
1993.

IT IS FURTHER ORDERED by the court that the writ be, and the same
is hereby, granted, effective September 16, 1993, consistent with the
opinion to follow.

A.W. Sweeney, Douglas, Resnick and F.E. Sweeney, JJ., concur.

Moyer, C.J., Wright and Pfeifer, JJ., dissent.

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

MONDAY
September 27, 1993

MOTION DOCKET

90-1452. State v. Evans.

Cuyahoga County, No. 54883. UPON CONSIDERATION of the motion filed by counsel for appellant to stay the execution of sentence in the above-styled cause pending the exhaustion of state post-conviction remedies,

IT IS ORDERED by the court that said motion be, and the same is hereby, granted, effective September 24, 1993.

IT IS FURTHER ORDERED by the court that said stay is granted for a period of six months to allow appellant an opportunity to file a petition for post-conviction relief. Absent such a filing within said time period, this stay will expire, and no further time will be granted except in unusual circumstances.

IT IS FURTHER ORDERED by the court that if a petition for post-conviction relief has been filed within the time allotted, a date-stamped copy of such petition shall be filed by appellant with the Clerk of this court, and this stay shall remain in effect until exhaustion of all state post-conviction proceedings, including any appeals.

IT IS FURTHER ORDERED by the court that the compliance with the mandate and execution of sentence be, and the same are hereby, stayed for a period of six months or, if a petition for post-conviction relief is filed within that time period, pending the exhaustion of all proceedings for post-conviction relief before courts of this state.

DISCIPLINARY DOCKET

92-905. Cuyahoga Cty. Bar Assn. v. Berger.

Sanford J. Berger is reinstated to the practice of law in the state of Ohio, effective September 24, 1993.

92-906. Cuyahoga Cty. Bar Assn. v. Fertel.

Robert M. Fertel is reinstated to the practice of law in the state of Ohio, effective September 24, 1993.

MISCELLANEOUS DISMISSALS

91-324. State ex rel. United Parcel Serv., Inc. v. Indus. Comm. Franklin County, No. 90AP-321. This cause, here on appeal from the Court of Appeals for Franklin County, was considered in the manner prescribed by law. Upon consideration of appellant's application to dismiss,

IT IS ORDERED by the court that said application be, and the same is hereby, granted, effective September 24, 1993.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

93-1569. State ex rel. Lafreniere v. Parks. In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator's application to dismiss,

IT IS ORDERED by the court that said application be, and the same is hereby, granted, effective September 24, 1993.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

93-1623. Arthur Young & Co. v. Kelly. Franklin County, No. 92AP-1332. This cause is pending before the court on the filing of a motion for an order directing the Court of Appeals for Franklin County to certify its record and as a claimed appeal as of right from said court. Upon consideration of the joint application for dismissal,

IT IS ORDERED by the court that said application be, and the same is hereby, granted, effective September 24, 1993.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

93-1856. State v. Zarbaugh. Licking County, No. 92 CA 122. This cause is pending before the court on the filing of a motion for leave to appeal from the Court of Appeals for Licking County. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that said application be, and the same is hereby, granted, effective September 24, 1993.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

93-1880. Kunz v. Boliantz. Richland County, 92 CA 73. This cause is pending before the court on the filing of a motion for an order directing the Court of Appeals for Richland County to certify its record. Upon consideration of appellants' application for dismissal,

IT IS ORDERED by the court that said application be, and the same is hereby, granted, effective September 24, 1993.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.