

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

FRIDAY
October 22, 1993

MOTION DOCKET

92-1873. Kiel v. Green Local School Dist. Bd. of Edn.
Wayne County, No. 2709. This cause is pending before the court as an
appeal from the Court of Appeals for Wayne County. Upon consideration
of the joint motion for additional time at the oral argument currently
scheduled for November 9, 1993,

IT IS ORDERED by the court that the motion for additional time
be, and the same is hereby, granted, and time is extended to twenty
minutes per side.

92-2043. Naylor v. Cardinal School Dist. Bd. of Edn.
Geauga County, No. 91-G-1629. This cause is pending before the court
as an appeal from the Court of Appeals for Geauga County. Upon
consideration of the joint motion for additional time at the oral
argument currently scheduled for November 9, 1993,

IT IS ORDERED by the court that the motion for additional time
be, and the same is hereby, granted, and time is extended to twenty
minutes per side.

93-441. Farmer v. Kelleys Island Bd. of Edn.
Erie County, No. E-92-1. This cause is pending before the court on
the certification of conflict by the Court of Appeals for Erie
County. Upon consideration of the joint motion for additional time at
the oral argument currently scheduled for November 9, 1993,

IT IS ORDERED by the court that the motion for additional time
be, and the same is hereby, granted, and time is extended to twenty
minutes per side.

93-1435. State ex rel. Mirlisena v. Hamilton Cty. Bd. of Elections. In Mandamus. On motion to expedite opinion and/or syllabus. Motion denied.

93-1552. N. Perry v. Lake Cty. Budget Comm. Board of Tax Appeals, Nos. 90-J-260, 91-J-279 and 92-B-267. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of appellant's motion for reconsideration of this court's denial of request for extension of time to file record and motion to expedite,

IT IS ORDERED by the court that the motion for reconsideration be, and the same is hereby, granted, and appellant's record is due on or before October 22, 1993.

93-1994. State v. McCormick. Lucas County, No. L-92-336. This cause is pending before the court on the filing of a motion for an order directing the Court of Appeals for Lucas County to certify its record and as a claimed appeal as of right. Upon consideration of appellant's motion to reconsider this court's denial of motion for stay,

IT IS ORDERED by the court that said motion to reconsider be, and the same is hereby, denied.

Wright, J., dissents.

MISCELLANEOUS DISMISSALS

93-2075. Switzerland of Ohio Edn. Assn., OEA/NEA v. Burkhardt. In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of relators' application to dismiss,

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

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

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

FRIDAY
October 22, 1993

MERIT DOCKET

93-1896. *Esparra v. Mahoning Cty. Bd. of Elections*. Mahoning County, No. 93 C.A. 177. This cause, here on appeal from the Court of Appeals for Mahoning County, was considered in the manner prescribed by law. On consideration thereof, the judgment of the court of appeals is affirmed on authority of *In re Protest Filed by Citizens for the Merit Selection of Judges, Inc.* (1990), 49 Ohio St.3d 102, 551 N.E.2d 150, paragraph one of the syllabus. State ex rel. Bass v. Summit Cty. Bd. of Elections (1952), 157 Ohio St. 345, 47 O.O. 201, 105 N.E.2d 414, which created the status of a "de facto" elector in the case of a circulator of a petition who was not fully qualified as an elector, is overruled.

It is further ordered that the appellees recover from the appellant their costs herein expended; that a mandate be sent to the Court of Appeals for Mahoning County to carry this judgment into execution; and that a copy of this entry be certified to the Clerk of the Court of Appeals for Mahoning County for entry.

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

Wright and Pfeifer, JJ., dissent and would reverse.

MISCELLANEOUS DISMISSALS

93-1823. State ex rel. Thatcher v. Cincinnati Bengals. Franklin County, No. 92AP-1273. This cause is pending before the court on an appeal and cross-appeals from the Court of Appeals for Franklin County. Upon consideration of the joint application to dismiss,

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

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