

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

1:00 P.M.

WEDNESDAY
December 15, 1993

MERIT DOCKET

92-1045. State v. Leichty.

Williams County. Appeal from the Court of Appeals for Williams
County, No. 91WM000023. Judgment affirmed.

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

Douglas, J., dissents.

92-1523. Kelm v. Kelm.

Franklin County. Appeal from the Court of Appeals for Franklin
County, No. 91AP-1406. Judgment affirmed.

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

Wright, J., concurs in part and dissents in part.

93-153. Committee for Toll-Free Tel. Serv. v. GTE North Inc.

Appeal from the Public Utilities Commission of Ohio, No.

92-311-TP-PEX. Order affirmed.

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

Resnick, J., not participating.

93-484. Bass v. Logan Cty. Court of Common Pleas.

In Prohibition. On motion to dismiss. Motion to dismiss sustained.

Cause dismissed.

Moyer, C.J., A.W. Sweeney, Douglas, Wright, Resnick, F.E. Sweeney

and Pfeifer, JJ., concur.

93-735. Wright v. Bloom.

Summit County, No. 15665. On motion to dismiss. Motion to dismiss sustained. Cause dismissed.

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

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

93-909. Roberts v. Shotten.

In Habeas Corpus. Sua sponte, cause dismissed.

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

93-943. State ex rel. Brown v. Indus. Comm.

In Mandamus. Writ granted.

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

Wright, J., dissents.

93-1056. State ex rel. Beacon Journal Publishing Co. v. Kent State Univ.

Portage County. Appeal from the Court of Appeals for Portage County, No. 92-P-0042. Judgment reversed and cause remanded.

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

Wright, J., not participating.

93-1121. McMillan v. Ashtabula Cty. Bd. of Elections.

Ashtabula County. Appeal from the Court of Appeals for Ashtabula County, No. 92-A-1758. Judgment affirmed.

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

93-1216. Bennett v. Littlefield.

In Habeas Corpus. On return of writ. Sua sponte, cause dismissed.

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

93-1630. State v. Johnson.

Clark County, No. 2473. Judgment affirmed.

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

A.W. Sweeney and Wright, JJ., dissent.

93-1691. State v. Dennis.

Hamilton County, No. C-890799. Judgment affirmed.

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

A.W. Sweeney and Wright, JJ., dissent.

93-1766. State v. Smith.

Hamilton County, No. C-880287. Judgment affirmed.

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

A.W. Sweeney and Wright, JJ., dissent.

93-1779. State v. Trapp.

Hamilton County, No. C-860210. Judgment affirmed.

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

A.W. Sweeney and Wright, JJ., dissent.

93-1784. State v. Brancheau.

Allen County, No. CA89-10-0091. Judgment affirmed.

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

A.W. Sweeney and Wright, JJ., dissent.

93-1786. State v. Yates.

Summit County, No. 12370. Judgment affirmed.

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

A.W. Sweeney and Wright, JJ., dissent.

93-1816. State v. Wilson.

Summit County, No. 14091. Judgment affirmed.

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

A.W. Sweeney and Wright, JJ., dissent.

93-1923. State ex rel. Smith v. Cuyahoga Cty. Court of Common Pleas.

In Mandamus. On motion to dismiss. Motion to dismiss sustained.

Cause dismissed.

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

93-1958. Lakelynd Constr. Co. v. Lucky Sand & Gravel Co.

Summit County, No. 15946. On motion to dismiss. Motion to dismiss sustained. Cause dismissed.

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

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

93-1984. State ex rel. Davenport v. Wise.

In Mandamus. On motion to dismiss. Motion to dismiss sustained.

Cause dismissed.

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

93-1989. State ex rel. Wilson v. Cuyahoga Cty. Court of Common Pleas.

In Mandamus. On motion to dismiss. Motion to dismiss sustained.

Cause dismissed.

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

93-2001. Blue Cross & Blue Shield of Ohio v. Grigsby.

In Prohibition. On motion to dismiss. Motion to dismiss sustained.

Cause dismissed.

A.W. Sweeney, Wright, Resnick and Pfeifer, JJ., concur.

Moyer, C.J., Douglas and F.E. Sweeney, JJ., dissent and would grant the writ.

93-2016. Shoop v. State.

In Mandamus. Sua sponte, cause dismissed.

Moyer, C.J., A.W. Sweeney, Douglas, Wright, Resnick and Pfeifer,

JJ., concur.

F.E. Sweeney, J., dissents and would grant an alternative writ.

93-2051. State ex rel. Manley v. Rumer.

In Mandamus. On motion to dismiss. Motion to dismiss sustained.

Cause dismissed.

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

93-2052. State ex rel. Ushery v. Ghee.

In Mandamus. On answer of respondent. Answer treated as motion to dismiss. Motion to dismiss sustained. Cause dismissed.

Moyer, C.J., A.W. Sweeney, Douglas, Wright, Resnick and Pfeifer, JJ., concur.

F.E. Sweeney, J., dissents and would grant an alternative writ for lack of a proper answer.

93-2077. Bolds v. Ohio Adult Parole Auth.

In Habeas Corpus. On motion to dismiss. Motion to dismiss sustained. Cause dismissed.

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

93-2095. Griffith v. Holland.

In Habeas Corpus. Sua sponte, cause dismissed.

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

93-2172. State v. Ware.

Licking County, No. CA-3263. On motion to dismiss. Motion to dismiss sustained. Cause dismissed.

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

DISMISSALS, SUA SPONTE, NO SUBSTANTIAL CONSTITUTIONAL
QUESTION AND JURISDICTIONAL MOTIONS OVERRULED

93-1092. Akron v. Neidermeir.

Summit County, Nos. 15831 and 15797.

93-1201. Findlay v. Reichenbach.

Hancock County, No. 5-92-36.

93-1241. In re Estate of Kelley.

Cuyahoga County, No. 62573.

93-1403. Geisert v. Ohio Motor Vehicle Dealers Bd.

Lake County, No. 92-L-111.

93-1462. State v. Gasser.

Lorain County, No. 92CA005363.

93-1520. State v. Gill.

Cuyahoga County, No. 62363.

93-1542. In re Belden.

Miami County, No. 92-CA-21.
Moyer, C.J., dissents.

93-1605. State v. Walker.
Cuyahoga County, No. 62293.

93-1624. Palmer v. Hooven.
Hamilton County, No. C-920066.

93-1673. State v. Losey.
Athens County, No. 1502.
Wright, J., dissents.

93-1719. State v. Long.
Ashland County, No. CA-1028.
Douglas and Resnick, JJ., dissent.

93-1788. State v. Rogers.
Cuyahoga County, No. 62840.
Wright and Pfeifer, JJ., dissent.

93-1789. State v. Davis.
Cuyahoga County, No. 63133.
Wright and Resnick, JJ., dissent.

93-1802. State v. McDaniels.
Cuyahoga County, No. 62541.

93-1806. State v. Krug.
Hamilton County, No. C-920703.

93-1817. State v. Boyd.
Cuyahoga County, No. 62853.

93-1827. Kurzner v. Sanders.
Hamilton County, No. C-920150.

93-1833. State v. Wood.
Franklin County, No. 92AP-1474.

93-1843. State v. Box.
Cuyahoga County, No. 63188.
Wright, J., dissents and would allow on Proposition of Law No. I
only.

93-1847. State v. Waibel.
Medina County, No. 2199-M.
Wright and Pfeifer, JJ., dissent.

93-1868. Ison v. James W. Smith Lumber Co.
Scioto County, No. 92CA2109.
Douglas and Resnick, JJ., dissent.

93-1883. State v. Smith.
Licking County, No. 93-CA-24.

93-1889. State v. Woodson.

Lucas County, No. L-92-095.
Resnick, J., not participating.

93-1896. State v. Freeman.
Licking County, No. 92-CA-116.

93-1917. Postler v. Cent. Trust Co., N.A., of Cincinnati.
Warren County, No. CA92-11-103.
Wright, J., dissents.

93-1922. Durbin v. Gordon.
Tuscarawas County, No. 93AP010005.
Resnick, J., dissents.

93-1952. State v. Caneris.
Hamilton County, No. C-920741.
Douglas and Resnick, JJ., dissent.

93-1953. State v. Mundy.
Montgomery County, No. 14156.
Moyer, C.J., and Resnick, J., dissent.

93-1962. State v. Benton.
Hamilton County, No. C-920903.

93-1963. State v. Lyons.
Franklin County, No. 92AP-1642.

93-1992. Taggart v. Professional Maintenance of Columbus, Inc.
Franklin County, No. 93AP-504.
Douglas, J., dissents.

93-1994. State v. McCormick.
Lucas County, No. L-92-336.
Resnick, J., not participating.

93-2000. State v. Roy.
Montgomery County, No. 12525.

93-2013. State v. Sandefur.
Summit County, No. 15787.

MOTION DOCKET

92-1976. State ex rel. Gillivan v. Ohio Bd. of Tax Appeals.
On motion to deem previous submissions as evidence. Motion granted.
Moyer, C.J., and A.W. Sweeney, J., not participating.

92-2144. State ex rel. Botkins v. Leighty.
In Mandamus. On motion for leave to file brief instant. Motion granted.
F.E. Sweeney, J., dissents.
On motion to dismiss. Motion denied.
F.E. Sweeney, J., dissents.

93-91. State ex rel. Cohen v. State Teachers Retirement Sys. of Ohio.

In Mandamus. On motion to appoint master commissioner. Sua sponte, show cause ordered.

93-550. State ex rel. Parsons v. Fleming.
Franklin County, No. 92AP-1057. On request for oral argument. Motion denied.

93-569. State v. Simko.
Lorain County, No. 91CA005214. On motion to supplement the record. Motion granted to the extent the exhibits exist.

93-671. Natl. Distillers & Chem. Corp. v. Limbach.
Board of Tax Appeals, No. 90-X-552. On motion to strike. Motion denied.

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

93-783. State ex rel. Hunter v. Certain Judges of Akron Mun. Court.
In Mandamus and Prohibition. On request for oral argument. Request granted.

93-883. State ex rel. Farmer v. Potter.
In Mandamus. On motion for compliance and/or sanctions. Sua sponte, show cause ordered.

93-891. Glass Molders, Pottery, Plastics & Allied Workers v. State
Emp. Relations Bd.
In Mandamus. On request for oral argument. Request denied.
Douglas and F.E. Sweeney, JJ., dissent.

93-939. State ex rel. Lewis v. Moser.
In Mandamus. On motion to dismiss. Motion denied. On request for oral argument. Request denied.

93-966. Petratos v. Makakis.
Cuyahoga County, No. 61377. On motion for leave to file amicus of Ohio State Medical Association. Motion granted.

93-987. Miller v. Progressive Cas. Ins. Co.
Lucas County, No. L-92-235. On motion for leave to file brief instant. Motion granted.

93-1147. State v. Manley.
Allen County, No. 1-91-83. On motion for appointment of counsel and on motion to secure counsel of choice. Motions denied.
Douglas, J., would remand to the court of appeals for appointment of counsel.

93-1183. In re Petition for Writ of Habeas Corpus for Ortiz.
In Habeas Corpus. On request for oral argument. Request denied.

93-1245. State v. Loza.
Butler County, No. CA91-11-0198. On motion for leave to supplement the record. Motion denied.
Pfeifer, J., would grant the motion to the extent the exhibits exist.

93-1402. May v. Tandy Corp.

Cuyahoga County, No. 62679. On motion to consolidate with 92-2382, Sorrell v. Thevenir, Gallia County, No. 91-CA-4. Motion granted.
Douglas, J., dissents.

93-1405. Mandel v. Limbach.
Board of Tax Appeals, No. 90-M-462. On request for oral argument.
Motion granted.

93-1508. N. Olmsted Bd. of Edn. v. Limbach.
Board of Tax Appeals, No. 90-R-971. On motion for leave to supplement the record. Motion granted.

93-1519. State v. Tyson.
Allen County, No. 92110097. On motion for leave to file delayed appeal. Motion granted.
Wright and F.E. Sweeney, JJ., dissent.

93-1612. Allnet Communications Serv., Inc. v. Pub. Util. Comm.
Public Utilities Commission, No. 86-771-TP-CSS. On motion for leave to file supplemental record instantner. Motion granted.

93-1689 and 93-1857. In re Hays.
Hamilton County, No. C-920118. On motions for leave to file amicus of The Drop Inn Center Shelterhouse et al. and Ohio Legal Rights Service. Motion granted.

93-1743. Agee v. Natl. City Bank.
Cuyahoga County, No. 62408. On motion for leave to file memorandum in support instantner. Motion granted.
F.E. Sweeney, J., dissents.

93-1772. Sberna Constr. Co. v. Lapinski.
Cuyahoga County, No. 62403. On motion to reconsider denial of extension. Motion granted.

93-1801. State v. Aiken.
Cuyahoga County, No. 64627. On motion for leave to file memorandum in support instantner. Motion granted.
A.W. Sweeney, Resnick and F.E. Sweeney, JJ., dissent.

93-1973. State ex rel. McMaster v. Indus. Comm.
Franklin County, No. 93AP-62. On motion to change case caption to State ex rel. McMaster v. School Emp. Retirement Sys. Motion granted.

93-2025. Sanders Transfer, Inc. v. Pub. Util. Comm.
Public Utilities Commission, No. 91-1646-TR-ACE. On motion for leave to intervene of RJW Moving Company. Motion granted.

93-2122. State v. Wright.
Allen County, No. 1-93-9. On motion for leave to file notice of appeal instantner and for extension. Motion granted.
Wright and F.E. Sweeney, JJ., dissent.

93-2126. State v. Serna.
Butler County, No. CA92-12-0245. On motion for leave to file notice of appeal instantner. Motion granted.
F.E. Sweeney, J., dissents.

93-2164. State v. Williams.
Cuyahoga County, No. 62040. On motion for leave to file delayed
appeal. Motion granted.

F.E. Sweeney, J., dissents.

93-2168. DeSario v. Indus. Excess Landfill, Inc.
Stark County, No. CA-9372. On motion to consolidate with 93-2163,
DeSario v. Indus. Excess Landfill, Inc., Stark County, No. CA-9372.
Motion granted.

F.E. Sweeney, J., dissents.

Pfeifer, J., would take no action on the motion at this time.

93-2182. State ex rel. Soley v. Lucas Cty. Common Pleas Court,
Domestic Relations Div.
Lucas County, No. L-93-232. On joint motion to consolidate with
93-2192. Motion granted.

F.E. Sweeney, J., dissents.

Pfeifer, J., would take no action on the motion at this time.

Resnick, J., not participating.

93-2191. State v. Leshner.
Geauga County, No. 92-G-1681. On motion to remand. Motion denied.

93-2196. Mingyar v. Ohio Dept. of Dev.
Franklin County, No. 92AP-1795. On motion for leave to file
memorandum in support instant. Motion granted.

F.E. Sweeney, J., dissents.

93-2214. State v. Miller.
Hamilton County, No. C-930611. On motion for leave to file delayed
appeal. Motion granted.

Wright and F.E. Sweeney, JJ., dissent.

93-2227. State v. Ables.
Guernsey County, No. 93-CA-04. On motions to dismiss and to strike.
Sua sponte, show cause ordered.

Douglas, J., would deny both motions.

93-2228. State v. Staats.
Cuyahoga County, No. 61834. On motion for leave to file delayed
appeal. Motion granted.

A.W. Sweeney, Resnick and F.E. Sweeney, JJ., dissent.

93-2236. State v. Wolfe.
Perry County, No. CA-451. On motion for leave to file delayed
appeal. Motion granted.

Wright and F.E. Sweeney, JJ., dissent.

93-2238. State ex rel. Miller v. Anthony.
Franklin County, No. 93AP-492. On motion for leave to file amicus of
Ohio Attorney General. Motion granted.

93-2263. Hicks v. Consol. Rail Corp.
Clermont County, No. CA93-03-018. On motion for leave to file amicus
of Ohio Academy of Trial Lawyers. Motion granted.

93-2279. State v. O'Malley.
Cuyahoga County, No. 62223. On motion for leave to file delayed
appeal. Motion granted.

JURISDICTIONAL MOTIONS ALLOWED

93-1182. State v. Jacot.
Wayne County, No. 2747.
A.W. Sweeney, Wright and F.E. Sweeney, JJ., dissent.

93-1864. Herald v. Hood.
Summit County, No. 15986.
Resnick and Pfeifer, JJ., dissent.

93-1878. Soc. Natl. Bank v. Security Fed. S. & L.
Cuyahoga County, No. 63141.
Moyer, C.J., dissents.
Resnick, J., not participating.

93-1895. Cornell v. Parsons Coal Co.
Columbiana County, No. 92-C-45.
Moyer, C.J., Wright and Pfeifer, JJ., dissent.

93-1897. State v. Jones.
Cuyahoga County, No. 64481.
A.W. Sweeney and Wright, JJ., dissent.

JURISDICTIONAL MOTIONS OVERRULED

93-1051. State v. Hoaglin.
Van Wert County, No. 15-92-15.

93-1114. Lee v. Pfanner.
Erie County, No. E-92-20.
Resnick, J., not participating.

93-1140. Feehan v. Kramer.
Hancock County, No. 5-92-9.
Douglas, J., dissents.

93-1246. Harper v. LTV Steel Co.
Stark County, No. CA-9149.

93-1493. Cooley v. Leaseway Transp. Co., U.S.A.
Cuyahoga County, Nos. 62198 and 62732.
A.W. Sweeney, Douglas and F.E. Sweeney, JJ., dissent.

93-1611. Sowers v. Middletown Hosp.
Butler County, No. CA92-07-118.
Moyer, C.J., and Resnick, J., dissent.

93-1658. State v. Peters.
Cuyahoga County, No. 63169.

93-1770. Peacock v. Ohio Dept. of Human Serv.

Marion County, No. 9-93-16.
Moyer, C.J., dissents.

93-1797. Sutterfield v. Sutterfield.
Adams County, No. CA-545.

93-1810. Cuyahoga Falls v. Stobbs.
Summit County, No. 16113. Notice of appeal by Eugene C. Stobbs,
second notice of appeal by Ohio Bureau of Employment Services.
Resnick, J., dissents.

93-1820. Mecurio v. Therm-O-Disc., Inc.
Richland County, No. 92-CA-64.
Wright, J., dissents.

93-1825. Tucker v. Dresser Industries, Inc.
Delaware County, No. 92CAH11038.
Douglas, J., dissents.

93-1831. Kelley v. Cairns & Brothers, Inc.
Summit County, No. 15882.

93-1851. Telakowicz v. The John Bunn Co.
Ashland County, No. CA-1024.
Wright, J., dissents.

93-1865. State v. Miller.
Warren County, No. CA92-07-064.

93-1866. Ervin v. Am. Funding Corp.
Clermont County, No. 93CA003021.
Moyer, C.J., and Wright, J., dissent.

93-1872. Cleveland v. Maloof.
Cuyahoga County, No. 63254.
Wright and Pfeifer, JJ., dissent.

93-1875. State v. Michael.
Columbiana County, No. 91-C-39.

93-1881. State v. Battle.
Summit County, No. 15869.

93-1894. Foor v. Rockwell Internatl.
Licking County, No. 92-CA-109.
Resnick, J., dissents.

93-1899. Skiles v. Beckloff.
Lorain County, No. 93CA005550.

93-1901. Host v. Ursem.
Cuyahoga County, No. 63109.
Douglas, J., dissents.

93-1904. Mayfran Internatl., Inc. v. May Conveyor, Inc.
Cuyahoga County, No. 62913.
Wright and F.E. Sweeney, JJ., dissent.

93-1905. Tope v. Pamco, Inc.
Franklin County, No. 93AP-11. On motion and cross-motion to certify
the record. Motions denied.

93-1913. Gainer v. Gainer.
Delaware County, No. 92CAF11042.

93-1915. King v. Hoover Co.
Stark County, No. CA-9177.

93-1916. Malone v. Miami Univ.
Franklin County, No. 93AP-266.
Douglas, J., dissents.

93-1921. Swepston v. Bd. of Tax Appeals.
Franklin County, No. 93AP-129.
A.W. Sweeney, J., not participating.

93-1926. Russ v. Lakewood Hosp.
Cuyahoga County, No. 65047.

93-1928. Kelly v. Reed.
Medina County, No. 2194-M.
Douglas and Wright, JJ., dissent.

93-1930. Birath v. Birath.
Franklin County, No. 92AP-1603.
Moyer, C.J., not participating.

93-1931. Johnson v. Kell.
Franklin County, No. 93AP-480.

93-1934. Rispo Invest. Co. v. Seven Hills.
Cuyahoga County, No. 62903.
Moyer, C.J., and Resnick, J., dissent.

93-1935. Rispo Invest. Co. v. Seven Hills.
Cuyahoga County, No. 63957.
Moyer, C.J., and Resnick, J., dissent.

93-1978. Ohio Farmers Ins. Co. v. Nicolen.
Williams County, No. 92WM000014.
Douglas, F.E. Sweeney and Pfeifer, JJ., dissent.

93-1987. Heltzel v. Heltzel.
Trumbull County, No. 92-T-4799.
Douglas, J., dissents.

93-1993. Sprovach v. Bob Ross Buick, Inc.
Montgomery County, No. 13827.
Wright, J., dissents.

93-2018. State v. Carrithers.
Hamilton County, Nos. C-920818 and C-920819.

93-2021. Alside Supply Co. v. Wager.

Cuyahoga County, No. 62550.

93-2022. Crawford v. By Lamb Builders, Inc.
Franklin County, No. 93AP-282.

93-2046. Moore v. Natl. Castings, Inc.
Lucas County, No. L-92-331.
Resnick, J., not participating.

93-2049. State v. Gonyer.
Wood County, No. 92WD100.
Resnick, J., not participating.

93-2072. Dininger v. Hamilton.
Butler County, No. CA93-02-026.
Resnick, J., dissents.

REHEARING DOCKET

85-1209. State v. Scott.
Cuyahoga County, No. 48609. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

86-512. State v. Byrd.
Hamilton County, No. C-830676. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing and on motion to set execution
date. Rehearing denied and motion to set execution date granted.
A.W. Sweeney and Wright, JJ., dissent.

86-1597. State v. Holloway.
Hamilton County, No. C-840871. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

87-243. State v. Poindexter.
Hamilton County, No. C-850394. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing and on motion to set execution
date. Rehearing denied and motion to set execution date granted.
A.W. Sweeney and Wright, JJ., dissent.

87-447. State v. Henderson.
Hamilton County, No. C-850557. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing and on motion to set execution
date. Rehearing denied and motion to set execution date granted.
A.W. Sweeney and Wright, JJ., dissent.

87-684. State v. Greer.
Summit County, No. 12258. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

88-1079. State v. Hicks.
Hamilton County, No. C-860173. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing and on motion to set execution
date. Rehearing denied and motion to set execution date granted.

A.W. Sweeney and Wright, JJ., dissent.

88-1286. State v. Jamison.
Hamilton County, No. C-850753. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing and on motion to set execution
date. Rehearing denied and motion to set execution date granted.
A.W. Sweeney and Wright, JJ., dissent.

89-70. State v. Montgomery.
Lucas County, No. L-86-395. Reported at 67 Ohio St.3d 1487,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

91-13. State v. Grant.
Mahoning County, No. 83 C.A. 144. Reported at 67 Ohio St.3d 465,
N.E.2d . On motion for rehearing. Rehearing denied.
On motion for stay. Stay granted.
Pfeifer, J., not participating.

92-1379. Ryan v. Carter.
Franklin County, No. 91AP-1456. Reported at 67 Ohio St.3d 568,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Douglas, JJ., dissent.

92-2118. State v. Scott.
Cuyahoga County, No. 48609. Reported at 67 Ohio St.3d 1485,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

92-2139. State v. Buell.
Cuyahoga County, No. 31875. Reported at 67 Ohio St.3d 1500,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

92-2222. State v. Byrd.
Hamilton County, No. C-830676. Reported at 67 Ohio St.3d 1485,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

92-2239. State v. Holloway.
Hamilton County, No. C-840871. Reported at 67 Ohio St.3d 1485,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

92-2396. Sanders v. Cincinnati Ins. Co.
Montgomery County, No. CA 13300. Reported at 66 Ohio St.3d 1436,
N.E.2d . On motion for rehearing. Rehearing denied.

93-181. State v. Poindexter.
Hamilton County, No. C-850394. Reported at 67 Ohio St.3d 1485,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

93-182. State v. Hicks.
Hamilton County, No. C-860173. Reported at 67 Ohio St.3d 1485,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

93-716. State v. Greer.
Summit County, No. 12258. Reported at 67 Ohio St.3d 1485,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

93-863. State v. Montgomery.
Lucas County, No. L-86-395. Reported at 67 Ohio St.3d 1485,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

93-917. State v. Henderson.
Hamilton County, No. C-850557. Reported at 67 Ohio St.3d 1485,
N.E.2d . On motion for rehearing. Rehearing denied.
A.W. Sweeney and Wright, JJ., dissent.

93-989. Mentor v. Nozik.
Lake County, No. 92-L-090. Reported at 67 Ohio St.3d 1481,
N.E.2d . On motion for rehearing. Rehearing denied.

93-1338. Jamaal v. Dawson.
Cuyahoga County, No. 64916. Reported at 67 Ohio St.3d 1481,
N.E.2d . On motion for rehearing. Rehearing denied.

93-1465. Farwick v. Sisters of Mercy of Clermont Cty., Ohio, Inc.
Clermont County, No. CA92-08-085. Reported at 67 Ohio St.3d
1481, N.E.2d . On motion for rehearing. Rehearing denied.
Wright, J., dissents.

93-1548. in re Estate of Weiler.
Montgomery County, No. 13546. Reported at 67 Ohio St.3d 1489,
N.E.2d . On motion for rehearing. Rehearing denied.

93-1700. State ex rel. Heer v. Franklin Cty. Mun. Court.
In Mandamus. Reported at 67 Ohio St.3d 1486, N.E.2d . On
motion for rehearing. Rehearing denied.
Douglas, J., dissents.

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

1:00 P.M.

WEDNESDAY
December 15, 1993

MOTION DOCKET

93-2137. Harris v. Babcock & Wilcox Co.
Summit County, No. 16017. On motion for stay. Motion denied.
Wright, Resnick and Pfeifer, JJ., dissent.
On Motions to dismiss appeal, to strike opposition to stay, and
to dismiss cross-appeal and motion to strike. Motions denied.

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ANNOUNCEMENT

WEDNESDAY
December 15, 1993

MOTION DOCKET

93-2464. State v. Economo.
Cuyahoga County, No. 66408. On motion for stay and release on bail.
Motion denied.
A.W. Sweeney and Wright, JJ., dissent.