

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.

Lance et al., Appellants, v. Aetna Casualty and Surety Company, Appellee.

[Cite as Lance v. Aetna Cas. & Sur. Co. (1994), Ohio St.3d .]

Automobile liability insurance -- Uninsured motorist coverage designed to protect persons, not vehicles -- Policy provision which eliminates uninsured motorist coverage for persons insured thereunder who are injured while occupying a motor vehicle owned by an insured, but not specifically listed in the policy, violates R.C. 3937.18 and is invalid. (No. 94-998 -- Submitted August 31, 1994 -- Decided October 5, 1994.)

Appeal from the Court of Appeals for Cuyahoga County, No. 64863.

Elk & Elk Co., L.P.A., Todd O. Rosenberg and David J. Elk, for appellants.

Rhoa, Follen & Rawlin Co., L.P.A., Ronald V. Rawlin and James H. Crawford, for appellee.

The judgment of the court of appeals is reversed on the authority of Martin v. Midwestern Group Ins. Co. (1994), Ohio St.3d , N.E.2d , decided today.

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

Moyer, C.J., concurs separately.

Wright, J., dissents for the reasons stated in the dissenting opinions in Martin v. Midwestern Group Ins. Co. (1994), Ohio St.3d , N.E.2d .

Moyer, C.J., concurring separately. I concur separately in the judgment entry in the above-styled case. As my dissent in Martin v. Midwestern Group Ins. Co. (1994), Ohio St.3d , N.E.2d , stated, I do not agree with the law announced in the majority decision. Nevertheless, it is the law on the issue in the above-styled case. As I believe all parties should receive equal application of the law announced by this court, and only for that reason, I concur in the judgment entry.

