

OPINIONS OF THE SUPREME COURT OF OHIO

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Nationwide Mutual Insurance Company, Appellee, v. Jones et al., Appellants.

[Cite as Nationwide Mut. Ins. Co. v. Jones (1994), Ohio St.3d .]

Automobile liability insurance -- Uninsured motorist coverage designed to protect persons, not vehicles -- Insurance policy exclusion of uninsured motorist coverage for vehicle owned by relative, not in accord with R.C. 3937.18.

(No. 93-1666 -- Submitted August 31, 1994 -- Decided October 5, 1994.)

Appeal from the Court of Appeals for Cuyahoga County, No. 62779.

Weston, Hurd, Fallon, Paisley & Howley, Timothy D. Johnson and Gregory E. O'Brien, for appellee.

Donald E. Caravona & Associates and Mark J. Obral, for appellants.

Scanlon & Henretta Co., L.P.A., J. Thomas Henretta and Ann Marie O'Brien, urging reversal for amicus curiae, Ohio Academy of Trial Lawyers.

The judgment of the court of appeal is reversed and the cause is remanded to the trial court to apply 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.