

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 28, 1994

MERIT DOCKET

94-2298. Oden v. Wingard.

In Habeas Corpus. Sua sponte, cause dismissed.

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

94-2413. State ex rel. Seiber v. Eighth Dist. Court of Appeals.

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.

94-2440. State ex rel. Hill v. Ohio Adult Parole Auth.

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, F.E.
Sweeney and Pfeifer, JJ., concur.

94-2468. State ex rel. Roberson v. Gwin.

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.

94-2501. State ex rel. Shepard v. Ohio Adult Parole Auth.

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, F.E.
Sweeney and Pfeifer, JJ., concur.

94-2518. Golphin v. Court of Claims of Ohio.
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.

94-2521. State ex rel. Atkins v. Ohio Adult Parole Auth.
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, F.E.
Sweeney and Pfeifer, JJ., concur.

94-2549. State ex rel. Middlebrooks v. Ohio Adult Parole Auth.
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, F.E.
Sweeney and Pfeifer, JJ., concur.

DISMISSALS, SUA SPONTE, NO SUBSTANTIAL CONSTITUTIONAL
QUESTION AND DISCRETIONARY APPEALS, IF APPLICABLE, NOT ALLOWED

94-1837. State v. Walker.
Stark County, No. 1994CA00037.

94-1857. State v. McDaniel.
Miami County, No. 93 CA 38.

94-1885. Toledo v. Hartz.
Lucas County, No. L-93-324.

94-1925. State v. Watson.
Fulton County, No. 93FU000024.

94-1931. Reynoldsburg City Schools v. Franklin Cty. Bd. of Revision.
Franklin County, No. 93APH12-1682.

94-1941. Columbus v. Greene.
Franklin County, No. 94APC02-173.

94-1944. May v. Bowland.
Hamilton County, No. C-940522.

94-1947. May v. Bowland.
Hamilton County, No. C-940568.

94-1948. May v. Bowland.
Hamilton County, No. C-930924.

94-1951. State v. Bradford.
Lorain County, No. 93CA005759.

94-1971. State v. Russell.
Washington County, No. 94 CA 1.

Wright, J., dissents.

94-2003. State v. Penn.
Franklin County, No. 93AP-953.

94-2018. Zigmont v. Toto.
Cuyahoga County, Nos. 65927 and 65928.

94-2028. Penny v. Midwest Gymnastics & Cheerleading, Inc.
Franklin County, No. 94APE02-214.

94-2076. State v. Rivera.
Ashtabula County, No. 93-A-1833.

94-2121. State v. Hughes.
Delaware County, No. 93CAA09034.

94-2145. Davis v. Findlay Industries, Inc.
Montgomery County, No. 13982.

Moyer, C.J., and Wright, J., dissent, would allow the
discretionary appeal, and would reverse on authority of Continental
Ins. Co. v. Whittington (1994), 71 Ohio St.3d 150, N.E.2d .

MOTION DOCKET

94-642, 94-643 and 94-644. Gen. Motors Corp., Packard Elec. Div. v.
Tracy.
Board of Tax Appeals, No. 92-K-146. On request for argument before
before full court. Request granted and arguments to be held on the
same date.

94-873. Motorists Mut. Ins. Co. v. Huron Rd. Hosp.
Cuyahoga County, No. 64585. On motion to withdraw as counsel by
Hahn Loeser & Parks. Motion granted.

94-1063. Gladon v. Greater Cleveland Regional Transit Auth.
Cuyahoga County, No. 64029. On motion to strike briefs of amici
curiae. Motion denied.

94-1304. State v. Herring.
Stark County, No. CA-9398. On motion for leave to file delayed
appeal. Motion denied.

94-1388. In re Special Grand Jury Investigation Concerning Organic
Technologies.
Licking County, No. 93CA00077. On motion to supplement record.
Motion denied.

94-1409. State v. Spillman.
Richland County, No. 93-CA-24. On motion for leave to file delayed
appeal. Motion denied.

Moyer, C.J., and Resnick, J., dissent.

94-1823. Soc. Bank of S. Ohio v. Butler Cty. Bd. of Revision. Board of Tax Appeals No. 92-D-1096. On motion to confirm settlement. Motion denied and cause remanded to Board of Tax Appeals for its consideration of the proposed settlement.

F.E. Sweeney, J., dissents.

Resnick, J., not participating.

94-1996. Morris v. Macedonia City Council.
On relators' request for attorney fees. Request granted.

94-2078. State ex rel. Blankenship v. Ohio Adult Parole Auth. In Mandamus. On answer of respondent. Sua sponte, alternative writ granted.

Douglas and Resnick, JJ., dissent and would dismiss the cause.

94-2208. State v. Phillips.
Summit County, No. 16487. On motion to remand. Motion denied.

Wright and Resnick, JJ., dissent.

On motion to supplement record with copy of trial transcript. Motion denied.

Wright and Pfeifer, JJ., dissent.

94-2500. State v. Shores.
Cuyahoga County, Nos. 65176, 65177, 65178 and 65179. On motion for leave to file delayed appeal. Motion denied.

94-2510. State v. Tillman.
Cuyahoga County, No. 64094. On motion for leave to file delayed appeal. Motion denied.

94-2519. State v. Weaver.
Montgomery County, No. 14003. On motion for leave to file delayed appeal. Motion denied.

Moyer, C.J., and Resnick, J., dissent.

94-2529. State v. McCall.
Licking County, No. 94-CA-62. On motion for leave to file delayed appeal. Motion granted.

Douglas, F.E. Sweeney and Pfeifer, JJ., dissent.

94-2554. State v. Crump.
Cuyahoga County, No. 65222. On motion for leave to file delayed appeal. Motion denied.

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

94-2560. State v. Fears.
Hamilton County, Nos. C-940592 and C-940593. On motion for leave to file delayed appeal. Motion denied.

Moyer, C.J., and Resnick, J., dissent.

94-2706. State ex rel. Cotton v. Ney.
Hamilton County, No. C-940951. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County. Upon consideration of appellant's motion to expedite,

IT IS ORDERED by the court that the motion to expedite be, and the same is hereby, denied, effective December 22, 1994.

DISCRETIONARY APPEALS ALLOWED

94-2178. Am. Natl. Bank v. Touche Ross & Co.
Cuyahoga County, No. 65837.
A.W. Sweeney, F.E. Sweeney and Pfeifer, JJ., dissent.

DISCRETIONARY APPEALS NOT ALLOWED

94-1846. Matzelle v. Summers Rubber Co.
Cuyahoga County, No. 65694.
Douglas and Resnick, JJ., dissent.

94-1896. Chatfield v. Michel, Davis & Cramer.
Franklin County, No. 94APE01-23.

94-1933. Betz v. Timken Mercy Med. Ctr.
Stark County, Nos. 94CA0013 and 94CA0050.
Wright, J., dissents.

94-1939. Jocek v. Nationwide Mut. Fire Ins. Co.
Cuyahoga County, No. 64827.
Wright, J., dissents.

94-1957. Lipscomb v. London Correctional Inst.
Franklin County, No. 93APE12-1755.
A.W. Sweeney, Wright and F.E. Sweeney, JJ., dissent.

94-1977. Cleveland v. Kreager.
Cuyahoga County, No. 65896.

94-2009. Warren v. Marx.
Hamilton County, No. C-930440.

RECONSIDERATION DOCKET

93-1245. State v. Loza.
Butler County, No. CA91-11-0198. Reported at 71 Ohio St.3d 61,
N.E.2d . On motion for reconsideration. Motion denied.

94-536. Disciplinary Counsel v. Furtado.
Reported at 71 Ohio St.3d 20, N.E.2d . On motion for
reconsideration. Motion denied.

94-1705. Bourekis v. Saidel & Assoc.
Montgomery County, No. 14105. Reported at 71 Ohio St.3d 1411,
N.E.2d . On motion for reconsideration. Motion denied.
Douglas and Resnick, JJ., dissent.

94-2167. State ex rel. Cossett v. Clinton.
In Prohibition. Reported at 71 Ohio St.3d 1411, N.E.2d . On
motion for reconsideration. Motion denied.

