

**THE STATE EX REL. MARKET/MEDIA RESEARCH, INC. v. CUYAHOGA COUNTY
COURT OF APPEALS ET AL.**

[Cite as *State ex rel. Market/Media Research, Inc. v. Cuyahoga Cty. Court of Appeals*, 1995-Ohio-113.]

Motion to dismiss granted.

(No. 94-1997—Submitted March 7, 1995—Decided May 3, 1995.)

IN MANDAMUS.

ON MOTION to Dismiss or Alternatively for Summary Judgment.

Snyder, Neff & Chamberlin and *Owen Calvin Neff*, for relator.

Stephanie Tubbs Jones, Cuyahoga County Prosecuting Attorney, *Carol Shockley* and *Gregory B. Rowinski*, Assistant Prosecuting Attorneys, for respondents Cuyahoga County Court of Appeals and Cuyahoga County Court of Common Pleas.

{¶ 1} On motion to dismiss or alternatively for summary judgment. Motion to dismiss granted. Cause dismissed.

MOYER, C.J., DOUGLAS, WRIGHT, RESNICK, F.E. SWEENEY, PFEIFER and COOK, JJ., concur.

COOK J., concurring.

{¶ 2} Given that all of the issues raised in this extraordinary action were either raised or could have been raised in relator's discretionary appeal to this court from the appellate judgment, and that relator had no good ground to support a jurisdictional issue, I would not only dismiss the complaint, but also award, as attorney fees, \$500 to the respondents.

SUPREME COURT OF OHIO

WRIGHT, J., concurs in the foregoing concurring opinion.
