

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

MONDAY
January 9, 1995

MOTION DOCKET

93-1021. Hamilton v. State Emp. Relations Bd.
Franklin County, Nos. 92AP-1345 and 92AP-1346. This cause came on
for further consideration upon the motion of appellee, city of
Hamilton, for a stay of judgment pending review by the United States
Supreme Court. Upon consideration thereof,

IT IS ORDERED by the court that the motion for stay be, and the
same is hereby, granted.

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

Cook, J., not participating.

MISCELLANEOUS DISMISSALS

94-1892. Frazier v. Columbus Bd. of Edn.
Franklin County, No. 93APE11-1534. This cause is pending before the
court as an appeal from the Court of Appeals for Franklin County.
Appellants' merit brief was due December 28, 1994. It appears from
the records of this court that appellants have not filed a merit
brief in compliance with the Rules of Practice of the Supreme Court
and therefore have failed to prosecute this cause with the requisite
diligence. Upon consideration thereof,

IT IS ORDERED by the court that this cause be, and hereby is,
dismissed sua sponte.

94-2098. Smith v. Marketing Programs.
Hamilton County, Nos. C-940288 and C-940356. This cause is pending
before the court as a discretionary appeal and as a claimed appeal
of right. Upon consideration of appellant's application for

dismissal,

IT IS ORDERED by the court that said application be, and the same is hereby, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

94-2168. Fraizer v. Columbus Bd. of Edn.

Franklin County, No. 93APE-11-1534. This cause is pending before the court on the certification of conflict by the Court of Appeals for Franklin County. Appellants' merit brief was due December 28, 1994. It appears from the records of this court that appellants have not filed a merit brief in compliance with the Rules of Practice of the Supreme Court and therefore have failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that this cause be, and hereby is, dismissed sua sponte.

94-2196. Nielsen v. Richland Cty. Commrs.

Richland County, No. 94-CA-11. This cause is pending before the court as an appeal from the Court of Appeals for Richland County. It appears from the records of this court that appellants have not filed a merit brief in compliance with the Rules of Practice of the Supreme Court and therefore have failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that this cause be, and hereby is, dismissed sua sponte.

94-2550. Thottam v. Thottam.

Stark County, No. 1994CA00007. This cause is pending before the court as a discretionary appeal and cross-appeal. On December 7, 1994, appellee/cross-appellant filed a notice of cross-appeal and her memorandum in response and memorandum in support of cross-appeal were due December 30, 1994. It appears from the records of this court that appellee/cross-appellant has not filed a memorandum in response and memorandum in support of cross-appeal in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that the cross-appeal be, and the same is hereby, dismissed.

95-27. State v. Griffin.

Cuyahoga County, No. 61436. Appellant has filed an untimely notice of appeal of the court of appeals' decision denying his application for reopening under App.R. 26(B) and a motion for delayed appeal. This appeal involves a civil, post-conviction matter and not an appeal of a felony case to which the provisions for delayed appeal in S.Ct.Prac.R. II(2)(A)(4) apply. Therefore,

IT IS ORDERED by the court, sua sponte, that the motion for delayed appeal be, and hereby is, stricken.

IT IS FURTHER ORDERED by the court, sua sponte, that, in that appellant failed to perfect an appeal pursuant to S.Ct.Prac.R. II(2)(A)(1), this case be, and hereby is, dismissed for lack of jurisdiction.