

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

9:00 A.M.

WEDNESDAY
January 18, 1995

MERIT DOCKET

94-2242. State ex rel. Tisone v. Rogers.

In Habeas Corpus. Sua sponte, cause dismissed.

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

94-2392. Boone v. Baker.

In Habeas Corpus. Sua sponte, cause dismissed.

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

94-2473. Westfall v. Anderson.

In Habeas Corpus. On petition for writ of habeas corpus. Sua
sponte, cause dismissed.

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

Cook, J., not participating.

94-2551. State ex rel. Carter v. Summit Cty. Court of Common Pleas.

In Mandamus. Sua sponte, cause dismissed.

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

Cook, J., not participating.

94-2575. State ex rel. Lyons 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., Douglas, Wright, Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

94-2584. State ex rel. Haygood 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., Douglas, Wright, Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

94-2592. State ex rel. Litteral 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., Douglas, Wright, Resnick, F.E. Sweeney, Pfeifer and Cook, JJ., concur.

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

94-1024. State v. Adams.

Cuyahoga County, Nos. 64759 and 64760.

Wright and Pfeifer, JJ., dissent.

94-1899. State v. Ullis.

Lucas County, No. L-93-247.

94-1920. State v. Tillimon.

Lucas County, No. L-93-334.

94-1968. State v. Vitale.

Cuyahoga County, No. 64573.

Resnick, J., dissents.

94-1981. State v. Gonzalez.

Stark County, No. 94CA0131.

94-1991. State v. Anthony.

Medina County, No. 2347-M.

Douglas, J., dissents.

94-1992. Byers v. Liberty Mut. Ins. Co.

Cuyahoga County, No. 65985.

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

94-1994. Dennison v. LTV Steel Co.

Cuyahoga County, No. 65890.

Resnick, J., dissents.

94-1995. State v. Cotton.

Cuyahoga County, Nos. 64361 and 64378.

94-2001. Jamestown Village Condominium Owners Assn. v. Market Media Research, Inc.

Cuyahoga County, Nos. 64815, 64816, 65272 and 66113.

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

94-2002. In re Sawyer.
Franklin County, Nos. 94APF04-522 and 94APF04-523.

94-2004. Moore v. Burt.
Montgomery County, No. 13097.
Wright and Cook, JJ., dissent.

94-2010. Hassert v. Jefferson Regional Water Auth.
Montgomery County, No. 14218.

94-2012. State v. Brown.
Hamilton County, No. C-930217.

94-2019. Cleveland v. Oliver.
Cuyahoga County, No. 65862.

94-2020. State v. Willison.
Perry County, No. CA93462.

94-2021. Webb v. Jones.
Union County, No. 14-94-12.

94-2022. State v. Payton.
Fayette County, No. CA93-12-028.

94-2023. Rossi, McCreery & Assoc., Inc. v. Abbo.
Lucas County, No. L-93-273.
Resnick, J., not participating.

94-2030. State v. Rhines.
Summit County, No. 16548.

94-2031. State v. Bohlen.
Franklin County, No. 94APA02-139.

94-2032. State v. Harper.
Montgomery County, No. 13912.

94-2033. State v. Davidson.
Clermont County, No. CA93-10-074.
Pfeifer, J., dissents.

94-2034. Nowell v. Aldridge.
Hamilton County, No. C-930168.
Douglas and Resnick, JJ., dissent.

94-2035. State v. Girts.
Cuyahoga County, No. 65750.

94-2043. Willis v. Ohio Dept. of Rehab. & Corr.
Franklin County, No. 94API03-345.

94-2046. Valentour v. Alexander.
Montgomery County, No. 14277.

94-2049. Hoh v. Sublett.
Hamilton County, No. C-930473.

94-2062. State v. Smith.
Mahoning County, No. 92 C.A. 16.

94-2063. State v. Drogi.
Belmont County, No. 93-B-14.
Moyer, C.J., dissents.

94-2073. Princeton City School Dist. Bd. of Edn. v. State Bd. of
Edn.
Hamilton County, No. C-930214.
Moyer, C.J., Douglas and Pfeifer, JJ., dissent.

94-2079. Doe v. Jefferson Area Local School Dist.
Ashtabula County, No. 93-A-1832.
Pfeifer, J., dissents.

94-2080. Marron v. Marron.
Lorain County, No. 93CA005762.
Cook, J., not participating.

94-2082. Maysom L.P. v. Mayfield.
Cuyahoga County, Nos. 65944, 65945, 65946 and 65947.
Douglas and Pfeifer, JJ., dissent.

94-2083. Kirtland Hills v. Osborne.
Lake County, No. 93-L-112.
Wright, J., dissents.

94-2084. State v. Huening.
Butler County, No. CA94-01-017.
Douglas and Wright, JJ., dissent.

94-2097. State v. Mayer.
Huron County, No. H-93-57.

94-2100. State v. DePew.
Butler County, No. CA94-03-083.

94-2116. State v. Cunningham.
Sandusky County, No. S-93-47.
Wright, J., dissents.
Resnick, J., not participating.

94-2123. State v. Gregory.
Montgomery County, No. 14187.

94-2125. Oda v. Davis.
Montgomery County, No. 13985.

94-2129. State v. Waites.
Lake County, No. 93-L-009. On motion for leave to appeal. Motion
denied.
Moyer, C.J., and Resnick, J., dissent.
On cross-motion for leave to appeal. Motion denied.
Moyer, C.J., dissents.

94-2131. Rinaldi v. Rinaldi.
Cuyahoga County, No. 65846.

94-2163. Hawkins v. Bruce.
Cuyahoga County, No. 65746.
Resnick, J., dissents.

94-2179. State v. McComas.
Lawrence County, No. 93-CA-32.

94-2183. Johnson v. Tuslaw Local School Dist.
Stark County, No. 1994CA00038.
Resnick, J., dissents.

94-2192. Tallmadge v. McCoy.
Summit County, No. 16667.
Cook, J., not participating.

MOTION DOCKET

92-2437. State ex rel. Isgett v. Gerlach.
In Mandamus. On response to show cause order. Sua sponte,
alternative writ granted.
Moyer, C.J., and Cook, J., dissent and would dismiss the cause.
Wright, J., dissents and would dismiss the cause because
relators seek prospective relief.

94-1831. State ex rel. Heck v. Kessler.
In Mandamus and Prohibition. On request for oral argument. Request
denied.
Douglas and Pfeifer, JJ., dissent.

94-2407. State ex rel. Optimum Technology, Inc. v. Fisher.
In Mandamus and Prohibition. On motion to dismiss. Motion denied.
Cook, J., dissents.
On motion to quash. Motion denied.
Cook, J., dissents.
On motion for leave to intervene by William Cargile. Motion granted.
Cook, J., dissents.
Sua sponte, alternative writ granted.
Cook, J., dissents.

94-2420. DLZ Corp. v. Fisher.
In Mandamus and Prohibition. On motion to dismiss. Motion denied.
Cook, J., dissents.
On motion to quash. Motion denied.
Cook, J., dissents.
On motion for leave to intervene by William Cargile. Motion granted.
Cook, J., dissents.
Sua sponte, alternative writ granted.
Cook, J., dissents.

94-2502. State ex rel. Scripps Howard Broadcasting Co. v. Cuyahoga
Cty. Court of Common Pleas, Juv. Div.
In Mandamus. On motion to dismiss or, in the alternative, motion
for summary judgment. Motion denied; sua sponte, alternative writ

granted.

94-2545. State v. Kretzer.
Montgomery County, No. 12910. On motion for leave to file delayed
appeal. Motion denied.

94-2588. State v. Banks.
Franklin County, No. 93APA02-260. On motion for leave to file
delayed appeal. Motion denied.

94-2594. State v. Cannon.
Clermont County, No. CA93-06-044. On motion for leave to file
delayed appeal. Motion denied.

94-2606. State v. Grandberry.
Lorain County, No. 94CA005781. On motion for leave to file delayed
appeal. Motion granted.
F.E. Sweeney and Pfeifer, JJ., dissent.
Cook, J., not participating.

94-2608. State v. Paige.
Cuyahoga County, No. 64711. On motion for leave to file delayed
appeal. Motion denied.
Moyer, C.J., and Pfeifer, JJ., dissent.

94-2610. State v. Barnett.
Montgomery County, No. 14019. On motion for leave to file delayed
appeal. Motion denied.
Moyer, C.J., dissents.

94-2614. State v. Proffitt.
Hamilton County, No. C-940123. On motion for leave to file delayed
appeal. Motion granted.
F.E. Sweeney and Cook, JJ., dissent.

94-2637. State v. Hawkins.
Erie County, No. E-94-25. On motion for delayed appeal with respect
to February 1, 1993 decision in E-92-69. Motion denied.
Resnick, J., not participating.

DISCRETIONARY APPEALS ALLOWED

94-1893. N. Canton v. Hutchinson.
Stark County, No. CA-9434.
Wright, Resnick and F.E. Sweeney, JJ., dissent.

94-2039. Kretzer v. Brubaker.
Henry County, No. 7-94-4.
Moyer, C.J., Wright and Cook, JJ., dissent.

94-2042. State v. Engle.
Fairfield County, No. 38CAOCT92.
Douglas, Resnick and F.E. Sweeney, JJ., dissent.

94-2045. Roxane Laboratories, Inc. v. Tracy.
Franklin County, Nos. 93APH12-1721 and 93APH12-1722.

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

94-2114. State v. Bistarkey.

Mahoning County, No. 92 C.A. 150.

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

94-2126. In re Washington.

Cuyahoga County, No. 65755.

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

DISCRETIONARY APPEALS NOT ALLOWED

94-1913. Montgomery v. Osborne.

Muskingum County, No. CT9350.

94-1976. Taylor v. B.P. Exploration & Oil, Inc.

Lucas County, No. L-93-253.

Douglas and Resnick, JJ., dissent.

94-1989. Nain v. Nain.

Lorain County, No. 93CA005669.

Cook, J., not participating.

94-1993. Betts v. AluChem of Jackson, Inc.

Jackson County, No. 92CA704.

94-2007. Mansfield v. Lindsey.

Richland County, No. 93CA100.

Douglas, J., dissents.

94-2014. W. Am. Ins. Co. v. Owens.

Richland County, No. 94CA142.

Wright and Cook, JJ., dissent.

94-2025. Ins. Co. of N. Am. v. Gould, Inc.

Cuyahoga County, Nos. 66595, 66675, 66681, 66693 and 66701.

Douglas, Pfeifer and Cook, JJ., dissent.

94-2041. Jones v. Univ. Hosp. of Cleveland.

Cuyahoga County, No. 65792.

Cook, J., dissents.

94-2047. Byrd v. Circle Coffee Shop.

Cuyahoga County, No. 66777.

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

94-2052. Rubbermaid, Inc. v. Hartford Steam Boilers Inspection Co.,
Inc.

Wayne County, No. 2835.

Wright and Resnick, JJ., dissent.

Cook, J., not participating.

94-2059. State Emp. Relations Bd. v. Ohio Office of Collective
Bargaining.

Franklin County, No. 94APE01-117.

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

94-2060. Pifher v. Ford Motor Co.
Lorain County, No. 93CA005581.
Douglas, Resnick and Pfeifer, JJ., dissent.

94-2070. State v. Girts.
Cuyahoga County, No. 65750. On motion and cross-motion for leave to
appeal. Motions denied.
Moyer, C.J., and Douglas, J., dissent.

94-2072. Mid-American Natl. Bank & Trust Co. v. Chrysler Corp.
Wood County, No. 94WD007.
Resnick, J., not participating.

94-2075. Gibson v. Tri-City Nursery, Inc.
Warren County, No. CA94-02-020.

94-2081. Harris v. Armco Steel Corp.
Richland County, No. 94CA282.

94-2088. Baroudi v. Euclid.
Cuyahoga County, No. 66062.

94-2090. Grizovic v. Ellis & Watts, Div. of Dynamic Corp. of Am.
Clermont County, No. CA93-12-085.

94-2091. Cole v. Hibberd.
Warren County, No. CA94-01-015.

94-2095. Marcus v. Revco Discount Drug Centers, Inc.
Cuyahoga County, No. 66090.

94-2132. Weikle v. Therm-O-Disc, Inc.
Richland County, No. 94-CA-52.
Douglas, Resnick and Pfeifer, JJ., dissent.

94-2288. In re Kimnach.
Franklin County, No. 94APE04-520.
Moyer, C.J., Wright and Pfeifer, JJ., dissent.

94-2318. United States Fid. & Guar. Co. v. Kammeyer.
Ottawa County, No. 93OT063.
Moyer, C.J., and Wright, J., dissent.
Resnick, J., not participating.

DISCIPLINARY DOCKET

94-2254. Cincinnati Bar Assn. v. Sullivan.
On motion for order directing board to provide findings of fact and
conclusions of law. Motion denied.