

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
May 3, 1995

MERIT DOCKET

93-2238. State ex rel. Miller v. Anthony.
Franklin County. Appeal from the Court of Appeals for Franklin
County, No. 93AP-492. Judgment reversed.

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

93-2459. Blue Cross & Blue Shield Mut. of Ohio v. Hrenko.
Cuyahoga County. Appeal from the Court of Appeals for Cuyahoga
County, No. 63907. Judgment affirmed.

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

Resnick, J., concurs in judgment only.

93-2582. Connors v. Sterling Milk Co.
Henry County. Appeal from the Court of Appeals for Henry County, No.
7-93-12. Sua sponte, cause dismissed as having been improvidently
allowed.

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

Pfeifer, J., dissents.

94-55. Am. States Ins. Co. v. Rubin.
Hamilton County. Appeal and cross-appeal from the Court of Appeals
for Hamilton County, Nos. C-920511, C-920512, C-920513 and C-920521.
Sua sponte, cause dismissed as having been improvidently allowed.

Moyer, Wright, Resnick and F.E. Sweeney, JJ., concur.

Douglas, Pfeifer and Cook, JJ., dissent.

94-363. Logsdon v. Nichols.

Franklin County. Appeal from the Court of Appeals for Franklin County, No. 93AP-1025. Judgment affirmed.

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

Wright, Pfeifer and Cook, JJ., concur in part and dissent in part.

94-1997. State ex rel. Market/Media Research, Inc. v. Cuyahoga Cty. Court of Appeals.

In Mandamus. 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.

94-2051. State ex rel. Multimedia, Inc. v. Snowden.

In Mandamus. Writ granted.

Moyer, C.J., Wright, Pfeifer and Cook, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., concur separately.

94-2650. Disciplinary Counsel v. Rieser.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 94-16. David Paul Rieser is publicly reprimanded.

Douglas, Resnick and F.E. Sweeney and Cook, JJ., concur.

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

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MERIT DOCKET

94-2419. Griffith v. Shiplevy.

In Habeas Corpus. Sua sponte, cause dismissed.

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

95-47. Williams v. Edwards.

In Habeas Corpus. Sua sponte, cause dismissed.

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

95-233. State ex rel. Harrison v. Ohio Adult Parole Auth.

In Habeas Corpus. Sua sponte, cause dismissed.

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

95-284. Parra v. McAninch.

In Habeas Corpus. Sua sponte, cause dismissed.

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

95-462. Berdyck v. Gaughan.

In Prohibition. On motion to dismiss. Motion to dismiss sustained. Cause dismissed.

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

95-549. State ex rel. Hurst v. Lima Correctional Inst.

In Mandamus. On motion to dismiss. Motion to dismiss sustained. Cause dismissed.

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

95-586. State ex rel. Manos v. Corrigan.

In Mandamus. On 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

94-1324. State v. Jones.

Madison County, No. CA93-05-016.

94-2702. Andolsek v. Kirtland.

Lake County, No. 94-L-038.

Moyer, C.J., dissents.

95-136. State v. Mundy.

Montgomery County, No. 14156.

Douglas, J., dissents.

95-158. State v. Dodrill.

Trumbull County, No. 93-T-4856.

95-188. State v. Dougherty.

Hancock County, No. 5-94-20.

95-192. Reinhardt v. Univ. of Cincinnati Med. Ctr.

Franklin County, No. 94API04-603.

95-201. Chauncey v. Chauncey.
Cuyahoga County, No. 66197.
Resnick, J., dissents.

95-207. State v. McGuire.
Summit County, Nos. 16423 and 16431.
Wright and Pfeifer, JJ., dissent.
Cook, J., not participating.

95-210. Staccia v. Columbus.
Franklin County, Nos. 94APE04-539 and 94APE05-767.
Pfeifer, J., dissents.

95-217. State ex rel. Stackhouse v. Becker.
Lake County, No. 94-L-024.
F.E. Sweeney, J., dissents.

95-225. State v. Browning.
Clermont County, No. CA94-04-022.
Wright, J., dissents.

95-226. State v. Griffie.
Montgomery County, No. 14364.

95-228. Schialdone v. Schialdone.
Trumbull County, No. 93-T-5007.

95-229. State v. Yonkings.
Lorain County, Nos. 94CA005807 and 94CA005825.

95-234. Howard v. Catholic Soc. Serv. of Cuyahoga Cty., Inc.
Cuyahoga County, No. 66748.
Pfeifer, J., dissents.

95-235. Zigmont v. Toto.
Cuyahoga County, Nos. 66442 and 66443.
Wright, J., dissents.

95-239. State v. Harrison.
Hamilton County, Nos. C-940826 and C-940887.

95-240. In re O'Donnell.
Lake County, No. 94-L-065.

95-244. State ex rel. DiFrangia v. Trumbull Cty. Bd. of Commrs.
Trumbull County, No. 93-T-4957.
Moyer, C.J., and Douglas, J., dissent.

95-245. Simmons v. Hertzman.
Hamilton County, No. C-930933.
Resnick and F.E. Sweeney, JJ., dissent.

95-251. State v. Jones.
Franklin County, Nos. 94APA04-457 and 94APA04-459.

95-252. Ohio Dept. of Liquor Control v. Foe Aerie 0456.

Franklin County, No. 94APE07-977.

95-254. State v. Ross.
Ross County, No. 94CA2019.

95-258. Beachwood v. Franchino.
Cuyahoga County, No. 67029.
F.E. Sweeney, J., dissents.

95-259. Toledo v. Harris.
Lucas County, No. L-94-200.

95-263. State v. Brown.
Clark County, No. 94CA15.

95-267. State v. Watkins.
Delaware County, No. 94CAC03009.

95-270. State v. Leftridge.
Cuyahoga County, No. 66818.

95-335. State v. Mosley.
Hamilton County, No. C-930296.

95-344. State v. Rogers.
Cuyahoga County, No. 67390.
Wright, J., dissents.

95-383. Barna v. Randall Park Assoc.
Cuyahoga County, No. 66751.
Resnick, J., dissents.

MOTION DOCKET

94-1662. In re Contested Election of November 2, 1993.
Lorain County, No. 93CV111527. On request for oral argument. Request denied.

95-20. State ex rel. Midmark Corp. v. Indus. Comm.
Franklin County, No. 93APD10-1457. On motion to strike appellant/cross-appellee's supplement to brief. Motion denied.
Moyer, C.J., and Wright, J., dissent.

95-461. State v. Mixon.
Hamilton County, Nos. C-930905 and C-930906. On motion for leave to file delayed appeal. Motion granted.
Resnick, F.E. Sweeney and Cook, JJ., dissent.

95-627. State v. Howe.
Montgomery County, Nos. 14939 and 14974. On motion for leave to file delayed appeal. Motion denied.

95-636. State v. Hackney.
Clermont County, No. CA92-12-118. On motion to produce/transmit record portions of voir dire transcript, motion to advance on docket, and motion for appointment of counsel. Motions denied.

DISCRETIONARY APPEALS ALLOWED

95-180. Campbell v. Warren Gen. Hosp.
Trumbull County, No. 93-T-4932.
Moyer, C.J., Resnick and Cook, JJ., dissent.

95-247. W. Lyman Case & Co. v. Natl. City Corp.
Franklin County, No. 94APE01-79.
Moyer, C.J., F.E. Sweeney and Cook, JJ., dissent.

DISCRETIONARY APPEALS NOT ALLOWED

94-1556. Luna v. Russell.
Allen County, No. 1-94-17.

94-2688. Moore v. Columbus.
Franklin County, No. 94APE01-130.
Pfeifer, J., dissents.

95-102. Mathis v. St. Alexis Hosp.
Cuyahoga County, Nos. 67241 and 67242.
Douglas, Resnick and F.E. Sweeney, JJ., dissent.

95-116. Schwab v. Frito-Lay, Inc.
Stark County, No. 94CA0069. On motion and cross-motion for
discretionary appeals. Motions denied.

95-183. Brooklyn Airport Assoc. v. Brooklyn.
Cuyahoga County, No. 66590.
F.E. Sweeney, J., dissents.

95-186. Borelli v. Berick.
Lake County, No. 94-L-052.

95-191. Jones v. Dayton Power & Light Co.
Greene County, No. 94CA49.
Moyer, C.J., and Wright, J., dissent.

95-200. Meeks v. Abitibi-Price Corp.
Lucas County, No. L-94-053.
Resnick, J., not participating.

95-213. Simonelli v. Anderson Concrete Co.
Franklin County, No. 94APE01-123.
Wright, J., dissents and would hold this cause for decision with
94-32, Contreras v. Ferro Corp., Cuyahoga County, Nos. 64394, 64424
and 64883, and with 94-405, Haynes v. Zoological Soc. of Cincinnati,
Hamilton County, Nos. C-910598 and C-910635.

95-216. State v. Hayward.
Summit County, No. 17036.

95-241. Karavolos v. Brown Derby.
Trumbull County, No. 93-T-4921.

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

95-242. State ex rel. Fisher v. PRC Pub. Sector, Inc.
Franklin County, No. 94APE07-970.
Pfeifer, J., dissents.

95-246. Brahim v. Ohio College of Podiatric Medicine.
Cuyahoga County, No. 66720.

95-255. Budd v. Trimble.
Franklin County, No. 94APE04-589.

95-260. State v. Graham.
Mahoning County, No. 93 C.A. 97.

95-272. Budd v. Trimble.
Franklin County, No. 94APE04-589.
Douglas, J., dissents.

95-285. Savings of Am., N.A. v. Cincinnati Ins. Co.
Butler County, No. CA94-03-059. On motion and cross-motion for
discretionary appeals. Motions denied.
Douglas and Wright, JJ., dissent.

95-287. Maddie v. Therm-O-Link, Inc.
Portage County, No. 93-P-0105.

95-333. Basler Versicherungs Gesellschaft v. Goldsmith & Eggleton,
Inc.
Summit County, No. 16832.
Cook, J., not participating.

95-400. State v. Allison.
Franklin County, No. 94APA05-748.
Resnick, J., dissents.

RECONSIDERATION DOCKET

94-2748. Previte v. Previte.
Lake County, No. 94-L-019. Reported at 71 Ohio St.3d 1503,
N.E.2d . On motion for reconsideration. Motion denied.
Douglas and Pfeifer, JJ., dissent.

94-2752. In re Adoption of Zschach.
Fairfield County, Nos. 1994CA14 and 1994CA19. Reported at 71 Ohio
St.3d 1503, N.E.2d . On motion for reconsideration. Motion
granted and discretionary appeal allowed; sua sponte, cause
consolidated with 95-170, infra.
F.E. Sweeney, J., dissents.
Wright, J., not participating.

94-2770. Williams v. Cent. Psychiatric Clinic.
Franklin County, No. 94API02-228. Reported at 71 Ohio St.3d 1503,
N.E.2d . On motion for reconsideration. Motion denied.

95-170. In re Adoption of Zschach.

Fairfield County, Nos. 1994CA14 and 1994CA19. Reported at 71 Ohio St.3d 1503, N.E.2d . On motion for reconsideration. Motion granted and discretionary appeal allowed; sua sponte, cause consolidated with 94-2752, supra.

F.E. Sweeney, J., dissents.

Wright, J., not participating.