

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

MONDAY  
October 7, 1996

MOTION DOCKET

96-2154. State ex rel. Oberer Dev. Co. v. Montgomery Cty. Bd. of Elections. Montgomery App. No. 16075. This cause is pending before the court as an appeal and cross-appeal from the Court of Appeals for Montgomery County. On October 4, 1996, appellants/cross-appellees filed a merit brief that was due October 3, 1996. S.Ct.Prac.R. XIV(1)(C) prohibits the filing of a brief that is not timely tendered for filing. Accordingly,

IT IS ORDERED by the court, sua sponte, that the merit brief be, and hereby is, stricken, and the appeal of appellants/cross-appellees, Ritva Williamson et al., be, and hereby is, dismissed for want of prosecution.

IT IS FURTHER ORDERED by the court that the brief of cross-appellants shall be due on or before October 7, 1996; brief of cross-appellees shall be due within three days after cross-appellants' brief; reply brief of cross-appellants shall be due within three days after cross-appellees' brief; and the pending cross-appeal shall otherwise be briefed in accordance with S.Ct.Prac.R. VI(1), (2) and (3).

96-2154. State ex rel. Oberer Dev. Co. v. Montgomery Cty. Bd. of Elections. Montgomery App. No. 16075. This cause is pending before the court as an appeal and cross-appeal from the Court of Appeals for Montgomery County. Upon consideration of appellees/cross-appellants' motion for leave to file reply brief in support of cross-appeal,

IT IS ORDERED by the court that the motion for leave to file reply brief in support of cross-appeal be, and hereby is, granted, and the fourth brief pursuant to S.Ct.Prac.R. VI(4)(D) shall be filed by the appellees/cross-appellants within three days after the filing of the third brief.

MISCELLANEOUS DISMISSALS

95-425. State ex rel. S.E. Johnson Cos., Inc. v. Indus. Comm. In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relator's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted.

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

96-2230. Thomas v. Monroe Cty. Jail Facility.

In Habeas Corpus. This cause originated in this court on the filing of a petition for a writ of habeas corpus and was considered in a manner prescribed by law. Upon consideration thereof,

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