

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY
October 9, 1996

RECONSIDERATION DOCKET

96-2154. State ex rel. Oberer Dev. Co. v. Montgomery Cty. Bd. of Elections. Montgomery App. No. 16075. On October 7, 1996, appellants/cross-appellees filed a motion for reconsideration of this court's dismissal of their appeal for want of prosecution. In the motion for reconsideration, appellants/cross-appellees incorporated by reference a document titled "Appellants' Motion for Clarification of Filing Dates and Motion to Accept Merit Brief." Whereas the incorporated motion is, in essence, a motion to waive the deadline for the filing of the appellants' brief, and S.Ct.Prac.R. XIV(1)(C) prohibits motions to waive the rule against untimely filings,

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

IT IS FURTHER ORDERED by the court that the motion for reconsideration be, and hereby is, denied.

MISCELLANEOUS DISMISSALS

96-2154. State ex rel. Oberer Dev. Co. v. Montgomery Cty. Bd. of Elections. Montgomery App. No. 16075. This cause is here on cross-appeal from the Court of Appeals for Montgomery County. Upon consideration of cross-appellants' motion to stay briefing and consideration of cross-appeal and request for leave to dismiss cross-appeal,

IT IS ORDERED by the court that the request for leave to dismiss cross-appeal be, and hereby is, granted.

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