

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY

July 24, 1996

MOTION DOCKET

94-10. State v. Carter.

Hamilton County, No. C-920604. Upon consideration of appellant's notice of filing petition for post-conviction relief and it appearing that a petition for post-conviction relief has been filed by appellant with the Hamilton County Common Pleas Court,

IT IS ORDERED by the court, effective July 23, 1996, that the stay of execution pending exhaustion of state post-conviction remedies motion be, and the same is hereby, continued.

IT IS FURTHER ORDERED by the court that compliance with the mandate and execution of sentence be, and the same are hereby, stayed pending the exhaustion of all proceedings for post-conviction relief before courts of this state.

IT IS FURTHER ORDERED that counsel for the appellant and for the appellee shall notify this court when all proceedings for post-conviction relief before courts of this state have been exhausted.

96-61. State ex rel. Russell v. Indus. Comm.

In Mandamus and Prohibition. On July 11, 1996, respondents, Industrial Commission of Ohio and Administrator, Ohio Bureau of Workers' Compensation, filed a document titled "Supplement of Authorities Cited." Respondents' document is, in substance, an addition to respondents' brief, and, as such, is not in compliance with S.Ct.Prac.R. VIII(7). Accordingly,

IT IS ORDERED by the court, *sua sponte*, that respondents' supplement be, and hereby is, stricken, effective July 23, 1996.

96-1205. State v. May.

Hamilton County, No. C-960124. On July 8, 1996, appellant filed a document titled "Motion for a Procedural Order of Vacate, Set Aside, Reverse and Remand for an Acquittal and Discharge." Appellant's document is, in substance, a supplement to his memorandum in support of jurisdiction and, as such, is not in compliance with S.Ct.Prac.R. VIII(7). Accordingly,

IT IS ORDERED by the court, *sua sponte*, that appellant's motion be, and hereby is, stricken, effective July 23, 1996.

MISCELLANEOUS DISMISSALS

96-1288. State ex rel. Wilson v. Nelson McCoy Pottery.

Franklin County, No. 95APD04-474. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's application for dismissal,

IT IS ORDERED by the court that the application for dismissal be, and hereby is, granted, effective July 23, 1996.

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

96-1565. State v. Tucker.

Lorain County, No. 96CA006450. On July 5, 1996, appellant filed a notice of appeal of the judgment of the court of appeals entered in case No. 96CA006450. Appellant asserted in his notice of appeal that the case originated in the court of appeals. Pursuant to S.Ct.Prac. R. V(3), the Clerk ordered the transmittal of the record from the court of appeals.

Upon review of the record, it is determined by the court that this case did not originate in the court of appeals but is an appeal of the court of appeals' decision dismissing appellant's appeal. Whereas this appeal is a discretionary appeal or claimed appeal of right and appellant did not file a memorandum in support of jurisdiction as required by S.Ct.Prac.R. II(2)(A)(1),

IT IS ORDERED by the court, *sua sponte*, that this case be, and hereby is, dismissed, effective July 23, 1996.