

05/08/97

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

THURSDAY
May 8, 1997

MOTION DOCKET

95-2279. Feichtner v. Ohio Dept. of Transp.
Franklin App. No. 95API01-47. On May 6, 1997, appellant filed a document titled "Appellant's Request Pursuant to Rule XXII." Appellant requests a waiver of the prohibition against filing a reply to a memorandum opposing a motion found in S.Ct.Prac.R. XIV(4)(B), in order to file a reply to appellee's memorandum opposing appellant's motion for reconsideration. Whereas there is no provision in S.Ct.Prac.R. XI permitting the filing of a reply to a memorandum opposing a motion for reconsideration; and whereas S.Ct.Prac.R. XXII is not applicable because appellant's motion for reconsideration was not pending when S.Ct.Prac.R. XIV(4)(B) became effective; and whereas S.Ct.Prac.R. XIV(4)(B) prohibits the filing of a reply to a memorandum opposing a motion,

IT IS ORDERED by the court, sua sponte, that appellant's request pursuant to Rule XXII be, and hereby is, stricken.

97-833. State ex rel. Englewood v. Montgomery Cty. Bd. of Commrs.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of the motion for leave to intervene by Randolph Township and village of Clayton, and motion for stay of proceedings,

IT IS ORDERED by the court that the motions be, and hereby are, denied.

Pfeifer and Lundberg Stratton, JJ., dissent in part because they would grant the motion for leave to intervene.