

03/18/97

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

TUESDAY
March 18, 1997

MERIT DOCKET

95-1400. In re Bunting Children.

Stark App. No. 94CA0264. This cause is pending before this court on the certification of conflict by the Court of Appeals for Stark County. On September 20, 1996, this court determined that a conflict exists and ordered that this cause be held for the decision in case No. 95-1213, In re Bunting Children. On October 9, 1996, this court entered a judgment in case No. 95-1213, reversing the judgment of the court of appeals and remanding to the trial court for further proceedings consistent with the opinion rendered therein. Upon consideration thereof,

IT IS ORDERED by the court, nunc pro tunc, that effective October 9, 1996, the judgment of the court of appeals in this cause is reversed and the cause is remanded to the trial court on the authority of and consistent with the opinion rendered in In re Young Children (1996), 76 Ohio St.3d 632, 669 N.E.2d 1140.

It is further ordered that the appellant recover from the appellee its costs herein expended; and that a mandate be sent to the Court of Appeals for Stark County to carry this judgment into execution; and that a copy of this entry be certified to the Clerk of the Court of Appeals for Stark County for entry.

MOTION DOCKET

96-2720. State ex rel. McGhee v. Anderson.

Richland App. No. 96CA85. This cause is pending before the court as an appeal of right from the decision of the Court of Appeals for Richland County entered on November 18, 1996. It appearing to the court that the record in this cause was filed on December 24, 1996, but the receipt of the record inadvertently was not docketed until March 14, 1997,

IT IS ORDERED by the court, sua sponte, that appellant's merit brief shall be due within forty days of the date of this entry, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

MISCELLANEOUS DISMISSALS

97-74. State ex rel. Eaton Corp. v. Indus. Comm.
Franklin App. No. 95APD11-1550. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. It appears from the records of this court that appellant has not filed a merit brief, due March 10, 1997, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

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