

01/15/96

## SUPREME COURT OF OHIO

## COLUMBUS

## ANNOUNCEMENT

THURSDAY  
January 9, 1997

## MERIT DOCKET

96-2798. State ex rel. Adamson v. Brown Cty. Court of Appeals. In Procedendo and Prohibition. This cause originated in this court on the filing of a complaint for writs of procedendo and prohibition and was considered in a manner prescribed by law. Upon consideration thereof,

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

Resnick, F.E. Sweeney, Pfeifer and Lundberg Stratton, JJ., concur.

Moyer, C.J., Douglas and Cook, JJ., dissent and would grant an alternative writ.

## MISCELLANEOUS DISMISSALS

96-2058. Witcher v. Fairlawn.

Summit App. No. 17745. On December 31, 1996, appellant filed a document titled "Motion for leave to file delayed motion for reconsideration." Whereas S.Ct.Prac.R. XIV(1)(C) prohibits motions to waive the prohibition against untimely filings,

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

Cook, J., not participating.

96-2640. In re Petition for a Writ of Mandamus for Jackson v. Ninth Dist. Court of Appeals.

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.

96-2743. State ex rel. Williams v. Judges of the Court of Common Pleas, Butler Cty.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of relators' 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.

96-2838. Messer v. McAninch.

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 for failure to verify petition in accordance with R.C. 2725.04.