

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

THURSDAY
January 2, 1997

MOTION DOCKET

96-2282. State v. Keaton.

Fayette App. Nos. CA95-09-021 and CA95-09-022. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellants' motion for stay of execution of sentence and continuation of bail,

IT IS ORDERED by the court that the motion for stay of execution of sentence and continuation of bail be, and hereby is, denied.

Moyer, C.J., and Cook, J., dissent and would grant the motion and continue bond.

96-2572. State ex rel. Durkin v. Mahoning Cty. Bd. of Elections. Mahoning App. No. 96 C.A. 178. This cause is pending before the court as an appeal from the Court of Appeals for Mahoning County. Upon consideration of the motion of appellee, John M. Durkin, to dissolve the stay issued by the court of appeals and motion to expedite briefing schedule and the motion for leave to intervene as an appellant by Secretary of State, Bob Taft,

IT IS ORDERED by the court that the motion to dissolve the stay issued by the court of appeals be, and hereby is, granted.

Pfeifer, J., dissents.

IT IS FURTHER ORDERED by the court that the motion to expedite briefing schedule be, and hereby is, denied.

Moyer, C.J., dissents.

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

Douglas, Pfeifer and Stratton, JJ., dissent.

96-2786. State v. Cola.

Cuyahoga App. No. 70483. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion for stay,

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

MISCELLANEOUS DISMISSALS

96-2310. State ex rel. Blair v. Kenmack Lumber, Inc.
Franklin App. No. 95APD09-1232. 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 December 23, 1996, 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.