

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

1:00 p.m.

WEDNESDAY

October 14, 1998

MERIT DOCKET

96-90. State ex rel. Draganic v. Indus. Comm.

Franklin App. No. 93AP10-1491. Appeal dismissed.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ.,
concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

96-233. State ex rel. Jones v. Devery.

Franklin App. No. 95APD01-53. Judgment affirmed. See opinion.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook
and Lundberg Stratton, JJ., concur.

96-515. State ex rel. Cuevas v. Indus. Comm.

Franklin App. No. 94APD02-275. Judgment reversed and cause
remanded.Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook
and Lundberg Stratton, JJ., concur.96-570. State ex rel. Metal Seal & Products, Inc. v. Indus.
Comm.Franklin App. No. 95APD02-238. Judgment affirmed consistent
with the opinion of the court of appeals.Douglas, Resnick, F.E. Sweeney, Pfeifer and Cook, JJ.,
concur.Moyer, C.J., and Lundberg Stratton, J., concur in part and
dissent in part.

96-898. State ex rel. Byrdsong v. Indus. Comm.

Franklin App. No. 95APD05-610. Judgment affirmed consistent
with the opinion of the court of appeals.Moyer, C.J., Resnick, Pfeifer, Cook and Lundberg Stratton,
JJ., concur.

Douglas and F.E. Sweeney, JJ., dissent.

96-1309. State ex rel. Whaley v. Indus. Comm.

Franklin App. No. 95APD05-656. Judgment affirmed consistent
with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

96-1445. State ex rel. Mitchell v. Gen. Motors Corp., Packard Elec. Div.

Franklin App. No. 95APD06-796. Judgment reversed and cause returned to the Industrial Commission for relief consistent with State ex rel. Noll v. Indus. Comm.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

96-1471. State ex rel. Grumman Ohio Corp. v. Indus. Comm.

Franklin App. No. 95APD05-674. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Pfeifer, J., dissents.

96-1848. State ex rel. Holt v. St. Elizabeth Med. Ctr.

Franklin App. No. 95APD11-1427. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

96-1999. State ex rel. Salyer v. Ohio Bur. of Workers' Comp.

Franklin App. No. 95APD10-1341. Judgment reversed and writ granted.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

96-2745. State ex rel. Justus v. Indus. Comm.

Franklin App. No. 95APD08-998. Judgment affirmed. See opinion.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-616. State ex rel. O'Brien v. Indus. Comm.

Franklin App. No. 96APD04-425. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

97-631. State ex rel. Vallesterro v. Indus. Comm.

Franklin App. No. 96APD04-417. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, J., dissents.

97-893. State ex rel. Tallman v. Indus. Comm.

Franklin App. No. 96APD05-702. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-959. State ex rel. Ward v. Indus. Comm.

Franklin App. No. 96APD04-394. Judgment reversed and cause

returned for relief consistent with State ex rel. Gay v. Mihm.

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

Moyer, C.J., and Cook, J., dissent.

97-979. State ex rel. Mayberry v. Indus. Comm.

Franklin App. No. 96APD05-595. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1015. State ex rel. Thomas v. Indus. Comm.

Franklin App. No. 96APD04-541. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1195. State ex rel. Kozlik v. Indus. Comm.

Franklin App. No. 96APD08-1033. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1252. State ex rel. Temple v. Indus. Comm.

Franklin App. No. 96APD06-761. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Cook and Lundberg Stratton, JJ., dissent.

97-1323. State ex rel. Clemons v. Indus. Comm.

Franklin App. No. 96APD08-1058. Judgment reversed and cause returned to the Industrial Commission for relief consistent with State ex rel. Gay v. Mihm.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

97-1342. State ex rel. Heard v. Indus. Comm.

Franklin App. No. 96APD07-883. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

97-1440. State ex rel. Minzler v. Indus. Comm.

Franklin App. No. 96APD07-905. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Pfeifer, J., dissents.

97-1446. State ex rel. McFadden v. Indus. Comm.

Franklin App. No. 96APD02-225. Judgment affirmed on authority of State ex rel. Russell v. Indus. Comm.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1531. State ex rel. Humphrey v. Indus. Comm.

Franklin App. No. 96APD09-1210. Judgment affirmed consistent with the opinion of the court of appeals.

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

Moyer, C.J., Douglas and Resnick, JJ., dissent.

97-1533. State ex rel. Moore v. Indus. Comm.

Franklin App. No. 96APD08-1104. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, J., dissents.

97-1549. State ex rel. Davakis v. Gen. Fireproofing Co.

Franklin App. No. 96APD01-34. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

97-1582. State ex rel. Rucker v. Indus. Comm.

Franklin App. No. 96APD03-344. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

97-1693. State ex rel. Bell v. Univ. of Cincinnati Hosp.

Franklin App. No. 96APD09-1208. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-1861. State ex rel. Zamudio v. Indus. Comm.

Franklin App. No. 96APD10-1375. Judgment reversed and cause returned to the Industrial Commission for further proceedings.

Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., Cook and Lundberg Stratton, JJ., dissent.

97-1871. State ex rel. Watkins v. Indus. Comm.

Franklin App. No. 96APD09-1218. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, JJ., dissent.

97-1878. State ex rel. Acoff v. Indus. Comm.

Franklin App. No. 96APD10-1311. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Pfeifer, J., dissents.

97-1894. State ex rel. Keebler Co. v. Indus. Comm.

Franklin App. No. 96APD09-1267. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook

and Lundberg Stratton, JJ., concur.

97-2021. State ex rel. Koehler v. Conrad.
Franklin App. No. 96APD12-1719. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., F.E. Sweeney, Cook and Lundberg Stratton, JJ., concur.

Douglas, Resnick and Pfeifer, JJ., dissent.

97-2232. State ex rel. Wanzer v. Indus. Comm.
Franklin App. No. 96APD12-1777. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Pfeifer, Cook, and Lundberg Stratton, JJ., concur.

Douglas, Resnick and F.E. Sweeney, , JJ., dissent.

97-2245. State ex rel. Ronan v. Indus. Comm.
Franklin App. No. 96APD06-812. Judgment affirmed consistent with the opinion of the court of appeals.

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

Moyer, C.J., and Cook, J., dissent.

97-2271. State ex rel. Groves v. Community Action Program.
Franklin App. No. 96APD08-1065. Judgment affirmed on authority of State ex rel. Russell v. Indus. Comm.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-2366. State ex rel. Gencorp Polymer Products v. Indus. Comm.
Franklin App. No. 96APD08-1094. Judgment reversed and order of the Industrial Commission reinstated.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-2477. State ex rel. Wheeler v. Indus. Comm.
Franklin App. No. 96APD09-1207. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney and Lundberg Stratton, JJ., concur.

Pfeifer and Cook, JJ., dissent.

97-2487. State ex rel. BF Goodrich Co. v. Indus. Comm.
Franklin App. No. 96APD09-1181. Judgment affirmed consistent with the opinion of the court of appeals.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

97-2641. Cincinnati Bar Assn. v. Fidler.
On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-112.

Mark W. Fidler is suspended from the practice of law for eighteen months, one year stayed on conditions.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook and Lundberg Stratton, JJ., concur.

98-68. State ex rel. Nix v. Cleveland.
In Mandamus. Writ denied.

Moyer, C.J., Douglas, F.E. Sweeney, Cook and Lundberg
Stratton, JJ., concur.

Resnick and Pfeifer, JJ., dissent.

98-411. State ex rel. Lee v. Trumbull Cty. Probate Court.
Trumbull App. No. 97-T-0150. Judgment reversed and cause
remanded.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook
and Lundberg Stratton, JJ., concur.

98-473. State ex rel. BSW Dev. Group v. Dayton.
Montgomery App. No. 15186. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook
and Lundberg Stratton, JJ., concur.

98-509. State ex rel. Childs v. Wingard.
Madison App. No. CA97-12-061. Judgment affirmed.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook
and Lundberg Stratton, JJ., concur.

98-837. State ex rel. Dist. 1199, Health Care & Social Serv.
Union, SEIU, AFL/CIO v. Lawrence Cty. Gen. Hosp.
In Mandamus. Writ granted in part and denied in part.

Moyer, C.J., Douglas, Resnick, F.E. Sweeney, Pfeifer, Cook
and Lundberg Stratton, JJ., concur.