

08/19/98

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

1:00 P.M.

WEDNESDAY
August 19, 1998

MERIT DOCKET

97-628. State v. Perry.

Hamilton App. No. C-960297. Judgment affirmed.

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

Douglas, Resnick and Lundberg Stratton, JJ., dissent.

97-641. Apel v. Katz.

Cuyahoga App. No. 68294. Judgment reversed, judgment granted in favor of appellants on their complaint, and judgment granted in favor of appellees on their counterclaim.

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

Moyer, C.J., Cook and Lundberg Stratton, JJ., concur in part and dissent in part.

97-998. State v. Droste.

Franklin App. No. 96APC07-906. Judgment reversed.

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

Lundberg Stratton, J., concurs separately.

Pfeifer, J., dissents.

97-1197. State ex rel. Horvath v. State Teachers Retirement Bd.

Franklin App. No. 96APE08-983. Judgment affirmed.

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

Douglas, J., concurs in judgment only.

Pfeifer, J., dissents.

97-1261 and 97-1488. Cater v. Cleveland.

Cuyahoga App. No. 70674. Judgment reversed and cause remanded.

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

Moyer, C.J., Hadley and Lundberg Stratton, JJ., concur in syllabus and judgment.

Douglas and Resnick, JJ., concur in judgment only.

Ronald E. Hadley, J., of the Third Appellate District, sitting for Cook, J.

97-1383 and 97-1384. VFW Post 8586 v. Ohio Liquor Control Comm.
Ashland App. No. 96-COA-01167. Judgment reversed.

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

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

97-1673. State ex rel. Beacon Journal Publishing Co. v.
Whitmore.

In Mandamus. Writ denied.

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

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

97-1778. State v. Rush.

Stark App. No. 96CA419. Judgment reversed and original sentence
reinstated.

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

F.E. Sweeney, J., concurs in syllabus and judgment.

Douglas, Resnick and Pfeifer, JJ., concur in judgment only.

97-2121 and 97-2123. State v. Mitchell.

Franklin App. No. 97APA03-351. Judgment affirmed.

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

F.E. Sweeney, J., concurs in syllabus and judgment.

Douglas, Resnick and Pfeifer, JJ., concur in judgment only.

97-2266. State v. Toler.

Hamilton App. No. C-960835. Judgment reversed and original
sentence reinstated.

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

F.E. Sweeney, J., concurs in syllabus and judgment.

Douglas, Resnick and Pfeifer, JJ., concur in judgment only.