

07/30/98

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

THURSDAY
July 30, 1998

MOTION DOCKET

97-357. Westhaven, Inc. v. Wood Cty. Bd. of Revision.
Board of Tax Appeals, No. 95-P-1052. This cause came on for
further consideration upon appellants' motion to withdraw motion
for reconsideration. Upon consideration thereof,

IT IS ORDERED by the court that the motion to withdraw
motion for reconsideration be, and hereby is, granted.

98-20. State v. Nields.

Hamilton C.P. No. B9703305. This cause is pending before the
court as an appeal from the Court of Common Pleas of Hamilton
County. Upon consideration of the motion of H. Fred Hoefle to
withdraw as appellant's counsel,

IT IS ORDERED by the court that the motion to withdraw as
appellant's counsel be, and hereby is, granted.

IT IS FURTHER ORDERED by the court, sua sponte, that the
Ohio Public Defender be, and hereby is, appointed to represent
the appellant.

IT IS FURTHER ORDERED by the court, sua sponte, that
appellant's brief shall be due on or before October 28, 1998,
and the parties shall otherwise proceed in accordance with
S.Ct.Prac.R. XIX.

98-980. State v. Campbell.

Franklin C.P. No. 97CR042020. This cause is pending before the
court as an appeal from the Court of Common Pleas of Franklin
County. Upon consideration of appellant's motion for extension
of time for transmission of the record,

IT IS ORDERED by the court that the motion for extension of
time for transmission of the record be, and hereby is, granted,
and the time for transmitting the record is extended to July 31,
1998.

98-1359. State v. Brown.

Hamilton App. No. C-980060. This cause is pending before the
court as a discretionary appeal and claimed appeal of right from
the Court of Appeals for Hamilton County. On July 20, 1998,

appellee filed a document titled "Motion to Dismiss Appeal." The motion to dismiss is, in substance, a response to appellant's memorandum in support of jurisdiction and, as such, is untimely. Whereas S.Ct.Prac.R. XIV(1)(C) prohibits the untimely filing of a document.

IT IS ORDERED by the court, sua sponte, that appellee's document titled "Motion to Dismiss Appeal" be, and hereby is, stricken.

98-1483. State v. Jones.

Ashtabula C.P. No. 97CA221. This cause is pending before the court as an appeal from the Court of Common Pleas of Ashtabula County. Upon consideration of appellant's motion for stay of execution,

IT IS ORDERED by the court that appellant's motion for stay of execution be, and hereby is, granted, pending disposition of this appeal.

DISCIPLINARY DOCKET

97-2648. Cuyahoga Cty. Bar Assn. v. Okocha.

On May 12, 1998, oral argument was held in this case. On July 23, 1998, respondent filed a motion for sanctions. In his motion, respondent requests that the court sanction counsel for the relator and submits material relating to the merits of this case.

It is determined by the court, sua sponte, that respondent's motion constitutes further briefing in this case and relates to the merits of this case. Whereas S.Ct.Prac.R. IX(8) prohibits the filing of any additional briefs or other materials relating to the merits of the case after the case has been orally argued, unless otherwise ordered by the court,

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