

04/02/98

## SUPREME COURT OF OHIO

## COLUMBUS

## ANNOUNCEMENT

THURSDAY  
April 2, 1998

## MOTION DOCKET

97-1173. Keefe v. Youngstown Diocese of the Catholic Church. Stark App. No. 1996CA00265. This cause is pending before the court as an appeal from the Court of Appeals for Stark County. Upon consideration of appellee's motion to participate in oral argument currently scheduled for May 12, 1998,

IT IS ORDERED by the court that the motion to participate in oral argument be, and hereby is, denied.

97-2222. Parma v. Pub. Util. Comm. Public Utilities Commission, No. 97-650-TP-CSS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of appellants' motion to withdraw motion for stay,

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

98-544. Alco Industries, Inc. v. Zarlenga Industries, Inc. Stark App. No. 97CA00065. 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.

Pfeifer and Lundberg Stratton, JJ., dissent.

98-551. [State ex rel. ] Wawrzyniak v. Watson. In Mandamus. Upon consideration of relator's motion to overturn lower court ruling,

IT IS ORDERED by the court that the motion to overturn lower court ruling be, and hereby is, denied.

## MISCELLANEOUS DISMISSALS

97-2450. State v. Ward. Allen App. No. 1-97-11. This cause is pending before the court as a discretionary appeal and a claimed appeal of right. It appears from the records of this court that appellant has not filed a memorandum in support of jurisdiction, due March 20, 1998, 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.

98-117. State v. Frazier.

Cuyahoga App. Nos. 71675, 71676, 71677 and 71678. This cause is pending before the court as a discretionary appeal and a claimed appeal of right. It appears from the records of this court that appellant has not filed a memorandum in support of jurisdiction, due March 27, 1998, 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.

98-374. Blackburn v. R.J. Reynolds Tobacco Co.

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.

98-460. State v. Green.

Lake App. No. 97-L-085. This cause is pending before the court as a discretionary appeal and a claimed appeal of right. It appears from the records of this court that appellant has not filed a memorandum in support of jurisdiction, due March 27,

1998, 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.