

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

THURSDAY
March 12, 1998

MOTION DOCKET

95-2572. State v. Williams.

Summit App. No. 16418. Upon consideration of the motion filed by counsel for appellant to stay execution in the above-styled cause pending the exhaustion of state post-conviction remedies, and it appearing from the exhibits to the motion that a petition for post-conviction relief has been filed by appellant with the Summit County Common Pleas Court,

IT IS ORDERED by the court that said motion be, and the same is hereby, granted.

IT IS FURTHER ORDERED by the court that execution of sentence be, and the same is hereby, stayed pending the exhaustion of all proceedings for post-conviction relief before courts of this state, including any appeals.

IT S FURTHER ORDERED that counsel for the appellant and for the appellee shall notify this court when all proceedings for post-conviction relief before courts of this state have been exhausted.

97-2064. State ex rel. Foley v. Vulcan Mfg. Co.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. On March 5, 1998, relator filed a reply brief that was due March 4, 1998. Rule XIV(C) of the Rules of Practice of the Supreme Court prohibits the filing of a brief that is not timely tendered for filing. Accordingly,

IT IS ORDERED by the court, *sua sponte*, that the reply brief be, and hereby is, stricken.

97-2419. State ex rel. Ohio Academy of Trial Lawyers v. Sheward.

In Prohibition and Mandamus. This cause originated in this court on the filing of a complaint for writs of prohibition and mandamus. Upon consideration of the motion of respondent Richard S. Sheward for expedited consideration of his motion to dismiss or, in the alternative, motion for clarification of the evidence to be filed and the briefing schedule; motion to expedite consideration of motion to dismiss and or motion for clarification of briefing by Attorney General Betty D. Montgomery; and motion for leave to file brief as *amici curiae* in support of Judge Sheward's and Attorney General Montgomery's motions for expedited consideration of motions to dismiss,

IT IS ORDERED by the court that the motions to expedite and for clarification be, and hereby are, denied.

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

IT IS FURTHER ORDERED by the court that the motion for leave to file brief as *amici curiae* be, and hereby is, granted.

MISCELLANEOUS DISMISSALS

98-135. State ex rel. Sealy v. Court of Common Pleas of Montgomery Cty.

Montgomery App. No. 16596. This cause is pending before the court as an appeal from the Court of Appeals for Montgomery County. Upon consideration of appellant'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.