

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

9:00 A.M.

Wednesday
December 2, 1998

MERIT DOCKET

95-2633. State ex rel. R. Bauer & Sons Roofing & Siding, Inc. v. Indus. Comm.

Franklin App. No. 94APD06-865. Judgment reversed in part and affirmed in part.

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

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

96-1393. State ex rel. DiRosa v. Indus. Comm.

Franklin App. No. 95APD02-193. Judgment reversed and cause returned.

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

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

97-1231. State ex rel. Tubbs Jones v. Suster.

In Prohibition. Writ denied.

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

Cook, J., concurs in the judgment and opinion, except for Parts IV and V.

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

Richard W. Knepper, J., of the Sixth Appellate District, sitting for Pfeifer, J.

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

In Mandamus. Writ denied. See opinion.

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

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

97-2321. State v. Elkins.

Union App. No. 14-97-21. Judgment reversed and cause remanded.

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

97-2329. Developers Diversified Ltd. v. Cuyahoga Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 92-J-241, 92-J-242, 92-J-243, 92-J-244, 92-J-245, 92-J-246, 92-J-247 and 92-J-313. Decision affirmed.

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

98-759. Cuyahoga Cty. Bar Assn. v. Petrancek.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 97-82.

Frank W. Petrancek is permanently disbarred.

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

98-832. State v. Turner.

Franklin App. No. 97APA07-952. Judgment affirmed.

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

98-1041. State v. McCardle.

Franklin App. No. 97APA09-1233. Judgment affirmed.

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

98-1092. State v. Rimmer.

Lorain App. No. 97CA006795. Judgment affirmed.

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

98-1094. State ex rel. Yates v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 97APD08-1133. Judgment affirmed.

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

98-1127. State v. Tennyson.

Hamilton App. No. C-970445. Judgment affirmed and court of appeals directed to lift stay of execution of sentence.

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

98-1165. State ex rel. Cotton v. Ghee.

Franklin App. No. 97APD06-798. Judgment affirmed.

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

98-1217. State v. Jewett.

Franklin App. No. 97APA10-1303. Judgment affirmed.

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

98-1231. Cleveland Bar Assn. v. Droe.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 97-30.

William G. Droe is indefinitely suspended from the practice of law.

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

Cook, J., dissents.

98-1239. Cleveland Bar Assn. v. Johnson.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 97-78.

Mitchell L. Johnson is permanently disbarred.

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

98-1242. Columbus Bar Assn. v. Taylor.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 96-86.

Anthony Richard Taylor is suspended from the practice of law for one year, stayed on condition.

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

98-1255. State v. Shaffer.

Marion App. No. 9-97-70. Judgment reversed and the trial court's determination that Ronald R. Shaffer is a sexual predator is reinstated.

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

98-1256. State v. Jones.

Athens App. No. 97 CA 42. Judgment affirmed.

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

98-1297. State v. Oller.

Marion App. No. 9-97-53. Judgment reversed and the trial court's determination that Herbert Oller is a sexual predator is reinstated.

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

98-1301. Cuyahoga Cty. Bar Assn. v. Clower.

On Certified Report by the Board of Commissioners on Grievances and Discipline of the Supreme Court, No. 97-25.

James K. Clower is permanently disbarred.

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

98-1339. State v. Blanton.

Warren App. No. CA97-12-125. Judgment affirmed.

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

98-1343. State v. Davis.

Franklin App. Nos. 97APA08-1020 and 97APA08-1021. Judgment affirmed.

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

98-1373. State v. Bowman.

Hamilton App. No. C-970520. Judgment affirmed.

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

98-1379. State ex rel. Johnson v. Bettman.

Hamilton App. No. C-980457. Judgment affirmed.

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

98-1395. State v. Clinton.

Erie App. No. E-97-097. Judgment reversed and the trial court's finding that
Ervin Clinton is a sexual predator is reinstated.

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

98-1396. State v. Lyons.

Erie App. No. E-97-045. Judgment reversed and the trial court's finding that Scott
Lyons is a sexually oriented offender is reinstated.

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

98-1427. State v. Dula.

Hamilton App. No. C-970504. Judgment affirmed and cause remanded.

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

**98-1428. State ex rel. Youngstown City School Dist. Bd. of Edn. v.
Youngstown.**

In Mandamus. Writ granted and attorney fees awarded.

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

98-1429 and 98-1533. State v. Brown.

Franklin App. Nos. 97APA10-1368 and 97APA10-1369. Judgment affirmed.

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

98-1431 and 98-1534. State v. Butler.

Franklin App. No. 97APA10-1430. Judgment affirmed.

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

98-1432 and 98-1844. State v. Hoover.

Franklin App. No. 97APA10-1399. Judgment affirmed.

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

98-1486. State v. Boyd.

Huron App. No. H-97-041. Judgment reversed and the trial court's finding that
Irving C. Boyd is a sexually oriented offender is reinstated.

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

98-1487. State v. Gross.

Huron App. No. H-97-49. Judgment reversed and the trial court's finding that
William Gross is a sexual predator is reinstated.

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

98-1507. State v. Morgan.

Marion App. No. 9-98-16. Judgment reversed and cause remanded.

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

98-1628 and 98-1859. State v. Lowther.

Franklin App. No. 97APA09-1274. Judgment affirmed.

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

98-1878. State v. White.

Lucas App. No. L-97-1279. Certified conflict allowed, judgment reversed, and trial court's finding that James E. White is a sexual predator is reinstated.

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

Resnick, J., not participating.