

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

TUESDAY

October 5, 1999

MOTION DOCKET

98-2301. State v. Gowdy.

Hamilton App. No. C-970359. This cause is pending before the court as an appeal from the Court of Appeals for Hamilton County. Upon consideration of the motion of *amicus curiae*, Ohio Attorney General Betty D. Montgomery, to participate in oral argument scheduled for November 30, 1999,

IT IS ORDERED by the court that the motion to participate in oral argument be, and hereby is, granted, and the *amicus curiae* shall share the time allotted to appellee.

98-2383. State ex rel. Teachers Retirement Bd. v. W. Geauga Local School Dist. Bd. of Edn.

Geauga App. Nos. 97-G-2066 and 97-G-2067. This cause is pending before the court as an appeal from the Court of Appeals for Geauga County. Upon consideration of the motion of appellee, Hawken School, to strike new evidence contained in the amended merit brief of State Teachers Retirement Board, and the motion of appellee, West Geauga Local School District Board of Education, to treat State Teachers Retirement Board as appellant at oral argument,

IT IS ORDERED by the court that the motion to strike new evidence contained in the amended merit brief of State Teachers Retirement Board be, and hereby is, denied.

Douglas and Resnick, JJ., dissent.

IT IS FURTHER ORDERED by the court that the motion to treat State Teachers Retirement Board as appellant at oral argument be, and hereby is, granted.

Lundberg Stratton, J., dissents.

98-2694. State ex rel. Bray v. Russell.

Warren App. No. CA98-06-068. By *sua sponte* orders this court consolidated Supreme Court case Nos. 98-2694, *State ex rel. Bray v. Russell*; 99-273, *Haddad v. Russell*; and 99-542, *White v. Konteh*. These cases have been set for oral argument on November 30, 1999.

IT IS ORDERED by the court, *sua sponte*, that counsel for Harry Russell, Warden, and Khelleh Konteh, Warden, shall argue first.

99-122. Gibson v. Meadow Gold Dairy.

Franklin App. No. 98AP-282. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of the motion of appellee, Administrator, Bureau of Workers' Compensation, to extend time for oral argument scheduled for November 3, 1999,

IT IS ORDERED by the court that the motion to extend time for oral argument be, and hereby is, granted, and the time is extended to twenty minutes per side.

99-273. Haddad v. Russell.

In Habeas Corpus. By *sua sponte* orders this court consolidated Supreme Court case Nos. 98-2694, *State ex rel. Bray v. Russell*; 99-273, *Haddad v. Russell*; and 99-542, *White v. Konteh*. These cases have been set for oral argument on November 30, 1999.

IT IS ORDERED by the court, *sua sponte*, that counsel for Harry Russell, Warden, and Khelleh Konteh, Warden, shall argue first.

99-429. Gibson v. Meadow Gold Dairy.

Franklin App. No. 98AP-282. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Franklin County. Upon consideration of the motion of appellee, Administrator, Bureau of Workers' Compensation, to extend time for oral argument scheduled for November 3, 1999,

IT IS ORDERED by the court that the motion to extend time for oral argument be, and hereby is, granted, and the time is extended to twenty minutes per side.

99-542. White v. Konteh.

Trumbull App. No. 99-T-0020. By *sua sponte* orders this court consolidated Supreme Court case Nos. 98-2694, *State ex rel. Bray v. Russell*; 99-273, *Haddad v. Russell*; and 99-542, *White v. Konteh*. These cases have been set for oral argument on November 30, 1999.

IT IS ORDERED by the court, *sua sponte*, that counsel for Harry Russell, Warden, and Khelleh Konteh, Warden, shall argue first.

99-1524. State v. Noling.

Portage App. No. 96-P-0126. This cause is pending before the court as an appeal from the Court of Appeals for Portage County. Upon consideration of appellant's motion to supplement the record with the transcript from his arraignment,

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

IT IS FURTHER ORDERED by the court that the Clerk of the Court of Appeals for Portage County certify and transmit the transcript of appellant's arraignment to the Clerk of this court within twenty days of the date of this entry.

99-1713. Thorn v. Schneiderman-Welch.

Stark App. No. 98CA00261. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion for emergency stay of trial court's September 14, 1999 order and appellant's motion to clarify/modify the court of appeals' August 2, 1999 decision,

IT IS ORDERED by the court that the motions be, and hereby are, denied.

MISCELLANEOUS DISMISSALS

99-1725. State v. Rosado.

Cuyahoga App. No. 74699. This cause is pending before the court as a discretionary appeal. 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.

