

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

THURSDAY  
March 2, 2000

**MOTION DOCKET**

**96-2029. State v. White.**

Ashland C.P. No. 96CRI07366. This cause came on for further consideration upon appellant's motion for appointment of counsel for filing an application for reopening. Upon consideration thereof,

IT IS ORDERED by the court that the motion for appointment of counsel be, and hereby is, granted, to the extent that Michael J. Benza, who appears on the list of attorneys certified to represent capital defendants on appeal under Sup.R. 20 and as required by S.Ct.Prac.R. I(1), is hereby appointed for the purpose of representing appellant in the filing of an application for reopening in accordance with S.Ct.Prac.R. XI(5).

Moyer, C.J., and Douglas, J., dissent.

**96-2509. State v. White.**

Ashland App. No. 96COA01182. This cause came on for further consideration upon appellant's motion for appointment of counsel for filing an application for reopening. Upon consideration thereof,

IT IS ORDERED by the court that the motion for appointment of counsel be, and hereby is, granted, to the extent that Michael J. Benza, who appears on the list of attorneys certified to represent capital defendants on appeal under Sup.R. 20 and as required by S.Ct.Prac.R. I(1), is hereby appointed for the purpose of representing appellant in the filing of an application for reopening in accordance with S.Ct.Prac.R. XI(5).

Moyer, C.J., and Douglas, J., dissent.

**97-2003. State v. Lindsey.**

Brown C.P. Nos. 972015 and 972064. Upon consideration of the motion filed by counsel for appellant to stay the execution of sentence in the above-styled cause pending the timely filing of a petition for a writ of certiorari in the Supreme Court of the United States,

IT IS ORDERED that said motion be, and hereby is, granted.

IT IS FURTHER ORDERED that the compliance with the mandate and the execution of sentence be, and hereby are, stayed pending the timely filing of the petition in the Supreme Court of the United States.

IT IS FURTHER ORDERED that if such petition is timely filed, this stay shall continue for an indefinite period pending final disposition of this cause by the Supreme Court of the United States.

**00-293. State v. Ramirez.**

Lake App. No. 97-L-289. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of the joint motion to remand this case to the court of common pleas to implement an agreed settlement,

IT IS ORDERED by the court that proceedings in this case be, and hereby are, stayed, pending further proceedings in the trial court to consider implementation of the settlement agreed upon by the parties.

IT IS FURTHER ORDERED by the court that the parties shall promptly file a notice of dismissal with this court upon implementation of the settlement or a notice that the stay of proceedings in this case should be lifted and this case may proceed pursuant to S.Ct.Prac.R. III.

## **MISCELLANEOUS DOCKET**

In re Report of the Commission  
on Continuing Legal Education.

John Michael Smith  
(#0003452),  
Respondent.

E N T R Y

This matter originated in this court on the filing of a report by the Commission on Continuing Legal Education (the “commission”) pursuant to Gov.Bar R. X(6)(A)(1)(b) and (A)(2)(d). The commission recommended the imposition of sanctions against certain attorneys, including the above-named respondent, for failure to comply with the provisions of Gov.Bar R. X, Attorney Continuing Legal Education, for the 1997-1998 reporting period.

On January 20, 2000, this court entered an order adopting the commission’s recommendation related to the 1997-1998 reporting period and imposing a fee sanction upon the respondent.

It has now come to the court’s attention that the respondent is deceased. Accordingly,

IT IS ORDERED by the court, *sua sponte*, that the order of January 20, 2000, be, and hereby is, vacated.

IT IS FURTHER ORDERED that this matter be dismissed.