

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

**FRIDAY  
June 16, 2000**

**MERIT DOCKET**

**00-936. State ex rel. Lehman v. Belden.**

In Prohibition. This cause originated in this court on the filing of a complaint for a writ of prohibition. Upon consideration of respondents' motions to dismiss and relators' motion to recuse Judge Belden,

IT IS ORDERED by the court that this cause be, and hereby is, dismissed.

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

**MOTION DOCKET**

**99-2151. Alder v. Eli Lilly & Co.**

Summit App. No. 19400. On June 9, 2000, appellee Pharmacia & Upjohn Company filed an appellee brief. One of the attorneys listed as representing Pharmacia & Upjohn Company, David M. Covey, is not admitted to practice in Ohio and has not sought admission *pro hac vice* as required by S.Ct.Prac.R. I(1) and (2). Accordingly,

IT IS ORDERED by the court, *sua sponte*, that the name of David M. Covey be, and hereby is, stricken from the appellee brief and David M. Covey shall not be permitted to appear in this case.

**00-892. Kim v. Vasko.**

Lucas App. No. L-99-1199. This cause is pending before the court as a discretionary appeal and a claimed appeal of right. Upon consideration of appellant's motion for stay of the court of appeals' judgment,

IT IS ORDERED by the court that the motion be, and hereby is, denied.

Moyer, C.J., and Cook, J., dissent and would grant.

Resnick, J., not participating.

**DISCRETIONARY APPEALS NOT ALLOWED**

**00-702. In re Adoption of Baby Boy Brooks.**

Franklin App. No. 99AP-481. This cause is pending before the court as an appeal involving termination of parental rights/adoption. Upon consideration of the jurisdictional memoranda filed in this case, the court declines jurisdiction to hear the case.

Lundberg Stratton, J., would allow and expedite.

**MISCELLANEOUS DISMISSALS**

**00-519. Cincinnati Gas & Elec. Co. v. Pub. Util. Comm.**

Public Utilities Commission, No. 98-595-GA-COI. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. 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.

**00-703. AmeriFirst Sav. Bank of Xenia, Ohio v. Krug.**

Montgomery App. No. 17349. This cause is pending before the court as a discretionary appeal and cross-appeal and claimed appeal of right. It appears from the records of this court that appellee/cross-appellant has not filed a memorandum in response and in support of cross-appeal, due May 22, 2000, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this case with the requisite diligence. Upon consideration thereof,

IT IS ORDERED by the court that the cross-appeal be, and hereby is dismissed, *sua sponte*.

The appeal of AmeriFirst Savings Bank of Xenia, Ohio, remains pending.