

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

FRIDAY  
July 14, 2000

**MOTION DOCKET**

**98-1209. State v. Sanders.**

Hamilton App. No. C-960253. This cause is a death penalty appeal from the Court of Appeals for Hamilton County. On April 6, 2000, this court ordered the Clerk of the Court of Common Pleas of Scioto County to certify and transmit the transcripts from hearings held in case No. 93CR454 on January 5, 1994, January 28, 1994, and February 18, 1994; a hearing held in case No. 93CR454 on March 15, 1994, if available, and if not, a certified statement that it is not available; the hearing held in case No. 94CR125 on April 18, 1994; the hearing held in case No. 94CR149 on April 7, 1994; the hearing held in case No. 94CR189 on May 4, 1994; and the hearing held in case No. 94CR384 on August 9, 1994.

On June 12, 2000, five of the eight transcripts were forwarded to the Clerk of this court by the Clerk of the Court of Common Pleas of Franklin County, who received them from the Court Reporter of Scioto County.

On June 19, 2000, the Clerk of the Scioto County Court of Common Pleas filed a certification that no transcripts had been filed in the Scioto County Clerk of Courts' office for the hearings listed in this court's order of April 6, 2000.

On June 23, 2000, appellant filed a motion to hold the briefing schedule in abeyance pending the receipt of the remaining transcripts in accordance with this court's April 6, 2000 entry.

It appears to the court, based upon submission of five of the transcripts required by this court's order and the subsequent certification by the Clerk of the Scioto County Court of Common Pleas, that all available transcripts have been filed. Accordingly,

IT IS ORDERED by the court that appellant's motion to hold the briefing schedule in abeyance be, and hereby is, denied.

### **DISCIPLINARY DOCKET**

#### **95-2126. Disciplinary Counsel v. Marshall.**

IT IS ORDERED by this court, *sua sponte*, that David Steele Marshall, Attorney Registration No. 0031544, last known business address in Mentor, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of February 28, 1996, to wit, failure to pay publication costs in the amount of \$62.88 on or before January 22, 1998.

#### **97-1299. Butler Cty. Bar Assn. v. Doll.**

IT IS ORDERED by this court, *sua sponte*, that Mark E. Doll, Attorney Registration No. 0046521, last known business address in Cincinnati, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of November 19, 1997, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before December 19, 1997.

#### **97-1810. Disciplinary Counsel v. Phillips.**

IT IS ORDERED by this court, *sua sponte*, that Thomas Ewing Phillips, Attorney Registration No. 0008582, last known business address in Chillicothe, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of February 18, 1998, to wit, failure to pay board costs in the amount of \$214.23 on or before May 19, 1998.

#### **97-2673. Lake Cty. Bar Assn. v. Vala.**

IT IS ORDERED by this court, *sua sponte*, that Joseph S. Vala, Attorney Registration No. 0038112, last known business address in Cleveland, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of September 28, 1999, to wit, failure to surrender his certificate of admission and attorney registration card and failure to file an affidavit of compliance on or before October 28, 1999.

**98-143. In re Resignation of Schaner.**

IT IS ORDERED by this court, *sua sponte*, that Brian Keith Schaner, Attorney Registration No. 0005282, last known address in Cleveland, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of February 12, 1998, to wit, failure to surrender his certificate of admission on or before March 16, 1998.

**98-717. Disciplinary Counsel v. Simecek.**

IT IS ORDERED by this court, *sua sponte*, that David J. Simecek, Attorney Registration No. 0024035, last known business address in Wadsworth, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of September 23, 1999, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before October 25, 1999.

**98-1707. Dayton Bar Assn. v. Lewis.**

IT IS ORDERED by this court, *sua sponte*, that Gordon H. Lewis, Attorney Registration No. 0023561, last known business address in Dayton, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of February 17, 1999, to wit, failure to file an affidavit of compliance on or before March 19, 1999.

**99-372. Cincinnati Bar Assn. v. Harwood.**

IT IS ORDERED by this court, *sua sponte*, that David J. Harwood, Attorney Registration No. 0014177, last known business address in Cincinnati, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of October 13, 1999, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before November 12, 1999.

**99-1063. In re Resignation of Cohen.**

IT IS ORDERED by this court, *sua sponte*, that Alan Bruce Cohen, Attorney Registration No. 0037581, last known address in East Palestine, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of September 9, 1999, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before October 11, 1999.

**99-1163. Cleveland Bar Assn. v. Perry.**

IT IS ORDERED by this court, *sua sponte*, that Kirk L. Perry, Attorney Registration No. 0059854, last known business address in Cleveland, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of November 10, 1999, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before December 10, 1999.

**99-1164. Disciplinary Counsel v. Kinane.**

IT IS ORDERED by this court, *sua sponte*, that Daniel E. Kinane, Jr., Attorney Registration No. 0023958, last known business address in Dayton, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of November 10, 1999, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before December 10, 1999.

**99-1165. Akron Bar Assn. v. Snyder.**

IT IS ORDERED by this court, *sua sponte*, that Scott W. Snyder, Attorney Registration No. 0030089, last known business address in Akron, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of November 10, 1999, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before December 10, 1999.

**99-1315. Disciplinary Counsel v. Brown.**

IT IS ORDERED by this court, *sua sponte*, that Robert L. Brown, Attorney Registration No. 0026416, last known address in Mesa, Arizona, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of October 14, 1999, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before November 15, 1999.

**99-1572. Disciplinary Counsel v. Brown.**

IT IS ORDERED by this court, *sua sponte*, that Bruce E. Brown, Attorney Registration No. 0039782, last known business address in Cleveland, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of December 22, 1999, to wit, failure to surrender his certificate of admission and failure to file an affidavit of compliance on or before January 21, 2000, and failure to pay board costs in the amount of \$17 on or before March 21, 2000.

**99-1638. Disciplinary Counsel v. Goldberg.**

IT IS ORDERED by this court, *sua sponte*, that Richard Dennis Goldberg, Attorney Registration No. 0005748, last known business address in Canfield, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of September 10, 1999, to wit, failure to file an affidavit of compliance on or before October 11, 1999.

**99-1697. In re Socha.**

IT IS ORDERED by this court, *sua sponte*, that Michael Paul Socha, Attorney Registration No. 0025995, last known business address in Cleveland, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of October 20, 1999, to wit, failure to file an affidavit of compliance on or before November 19, 1999.

**99-1704. In re Resignation of McGill.**

IT IS ORDERED by this court, *sua sponte*, that Michael Edward McGill, Attorney Registration No. 0001839, last known business address in Toledo, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of January 4, 2000, to wit, failure to file an affidavit of compliance on or before February 3, 2000.

**99-1716. Disciplinary Counsel v. Brown.**

IT IS ORDERED by this court, *sua sponte*, that Thomas C. Brown, Attorney Registration No. 0024054, last known address in Geneva, Ohio, is found in contempt, effective July 13, 2000, for failure to comply with this court's order of October 26, 1999, to wit, failure to file an affidavit of compliance on or before November 29, 1999.

**MISCELLANEOUS DISMISSALS**

**00-1235. State v. Lee.**

Franklin App. No. 99AP-668. This cause is pending before the court as a claimed appeal as of right. On July 10, 2000, appellant filed a memorandum in support of jurisdiction that exceeds the page limit prescribed by S.Ct.Prac.R. III(1)(C). Whereas appellant has failed to comply with the requirements for the perfection of an appeal pursuant to S.Ct.Prac.R. II(2)(A)(1),

IT IS ORDERED by the court, *sua sponte*, that appellant's memorandum in support of jurisdiction be, and hereby is, stricken.

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