

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

1:00 P.M.

WEDNESDAY  
December 20, 2000

**MOTION DOCKET**

**85-1209. State v. Scott.**

Cuyahoga App. No. 48609. Upon consideration of appellee's motion to set date for execution of sentence,

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

IT IS FURTHER ORDERED by the court that appellee file notice with this court when the United States Court of Appeals for the Sixth Circuit of Ohio issues its mandate in case No. 98-4321, *Scott v. Mitchell*, and when the United States District Court for the Northern District of Ohio lifts the stay and dismisses the petition in case No. 1:95-CV-2037.

**00-507. Cincinnati Bell Tel. Co. v. Pub. Util. Comm.**

Public Utilities Commission, No. 96-899-TP-ALT. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of the motion for clarification by TCG Ohio, Inc., and Worldcom, Inc., to clarify the entry entered on December 5, 2000,

IT IS ORDERED by the court that the motion be, and hereby is, granted, and the brief filed by TCG Ohio, Inc., and Worldcom, Inc., shall be treated as an *amicus curiae* brief.

IT IS FURTHER ORDERED by the court that eighteen copies of the original brief filed on August 8, 2000, shall be filed within ten days of the date of this entry.

**00-2175. State v. Lordi.**

Mahoning App. Nos. 99CA247 and 99CA62. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion to defer consideration of memorandum in support of jurisdiction until after the Mahoning County Court of Appeals enters its judgment or upon appellant's motion to resume consideration of the memorandum in support of jurisdiction,

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

IT IS FURTHER ORDERED by the court that appellant shall file a notice of the status of the Mahoning County Court of Appeals appeal or file a motion to resume consideration of the memorandum in support of jurisdiction no later than forty-five days after the court of appeals enters its judgment.

**00-2200. State v. Brooks.**

Cuyahoga App. No. 48914. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of appellant's motion for appointment of counsel,

IT IS ORDERED by the court that this matter be remanded to the court of appeals for appointment of counsel.

IT IS FURTHER ORDERED by the court that appointed counsel shall file a copy of the court of appeals' entry of appointment.

IT IS FURTHER ORDERED by the court that appellant's brief shall be due either forty days from the entry of the order of appointment of counsel by the court of appeals or forty days from the filing of the record, whichever occurs later.

**RECONSIDERATION DOCKET**

**00-1774. State ex rel. Howard v. Lewandowski.**

Lucas App. No. L-00-1189. Reported at 90 Ohio St.3d 1486, \_\_\_ N.E.2d \_\_\_. IT IS ORDERED by the court that the motion for reconsideration in this case be, and hereby is, denied.

**00-1775. Howard v. Franks.**

Lucas App. No. L-00-1163. Reported at 90 Ohio St.3d 1486, \_\_\_ N.E.2d \_\_\_. IT IS ORDERED by the court that the motion for reconsideration in this case be, and hereby is, denied.

**DISCIPLINARY DOCKET**

**00-2246. Columbus Bar Assn. v. Bailey.**

On December 15, 2000, Donald L. Bailey, movant, filed an appeal from an order issued by the Board of Commissioners on the Unauthorized Practice of Law on December 11, 2000, that denied movant's motion to set aside, vacate, or quash subpoena *duces tecum* issued on November 6, 2000, and set for compliance December 15, 2000. Movant also moved this court to set aside, vacate, or quash the subpoena *duces tecum*.

IT IS ORDERED by the court that the motion to set aside, vacate, or quash the subpoena *duces tecum* is denied as moot.

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

**MISCELLANEOUS DISMISSALS**

**00-2222. In re Adoption of Snavelly.**

Greene App. No. 2000CA20. This cause is pending before the court as a discretionary appeal and claimed appeal of right. It appears from the court of appeals' opinion that the appeal involves adoption of a minor child. The appellant failed to state in the notice of appeal that the appeal involved adoption of a minor child as required by S.Ct.Prac.R. II(2)(B)(1). Furthermore, appellant failed to timely file this appeal within twenty days from the entry of judgment as required by S.Ct.Prac.R. II(2)(A)(1)(a). Accordingly,

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