

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

WEDNESDAY

March 21, 2001

MISCELLANEOUS DISMISSALS

00-2330. Cincinnati Gas & Elec. Co. v. Pub. Util. Comm.

Public Utilities Commission No. 99-960-GAC-SS. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. It appears from the records of this court that appellant has not filed a merit brief, due March 12, 2001, 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 this cause be, and hereby is, dismissed, *sua sponte*.

01-82. State ex rel. Herak v. Euclid.

Cuyahoga App. No. 78487. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. 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.

01-352. State v. Morrissey.

Cuyahoga App. No. 77179. On March 12, 2001, appellee/cross-appellant filed a memorandum in response and in support of cross-appeal without a copy of the court of appeals' opinion and judgment entry being appealed. S.Ct.Prac.R. III(1)(D) requires that a copy of the court of appeals' opinion and judgment entry being appealed shall be attached to the memorandum. Accordingly,

IT IS ORDERED by the court that the memorandum in response and in support of cross-appeal be, and hereby is, stricken.

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

The appeal of the state of Ohio remains pending.