

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

1:00 P.M.

WEDNESDAY

March 28, 2001

MERIT DOCKET

99-788. State v. Eppinger.

Cuyahoga App. No. 72686. Judgment affirmed as modified.

F.E. Sweeney, Pfeifer and Lundberg Stratton, JJ., concur.

Moyer, C.J., concurs except that he joins Part I of Cook, J.'s opinion concurring in part and dissenting in part.

Douglas and Resnick, JJ., concur in syllabus and judgment.

Cook, J., concurs in part and dissents in part.

99-1876. Oberlin v. Akron Gen. Med. Ctr.

Summit App. No. 18649. Judgment reversed and cause remanded.

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

Cook and Lundberg Stratton, JJ., dissent.

00-196. Midwest Fireworks Mfg. Co. v. Deerfield Twp. Bd. of Zoning Appeals.

Portage App. No. 98-P-0131. Judgment reversed and cause remanded.

Moyer, C.J., Douglas, Resnick and Lundberg Stratton, JJ., concur.

F.E. Sweeney, Pfeifer and Cook, JJ., dissent.

00-225 and 00-513. Stevens v. Ackman.

Butler App. No. CA99-03-053. Judgment reversed and cause remanded.

Douglas, Resnick, F.E. Sweeney, Pfeifer and Lundberg Stratton, JJ., concur.

Moyer, C.J., and Lundberg Stratton, J., concur separately.

Moyer, C.J., and Cook, J., concur in part.

00-460. Tomei v. Mayfield City Schools.

Cuyahoga App. No. 77471. Judgment affirmed.

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

00-472 and 00-481. Johnson v. Greene Cty. Drug Task Force.

Greene App. No. 99-CA-61. Judgment affirmed.

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

00-553 and 00-554. White v. Dayton.

Montgomery App. No. 17714. Judgment affirmed.

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

00-580 and 00-807. Simpson v. Niles Police Dept.

Trumbull App. No. 99-T-0036. Judgment affirmed.

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

00-584 and 00-808. Cain v. Simpson.

Trumbull App. No. 99-T-0037. Judgment affirmed.

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

00-632. Coleman v. Cleveland Hts./Univ. Hts. School Bd.

Cuyahoga App. No. 77452. Judgment affirmed.

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

00-844 and 00-955. Hall v. Cuyahoga Cty.

Cuyahoga App. Nos. 77671 and 77666. Judgment affirmed.

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

00-851. T.W. Grogan Co., Inc. v. Grogan.

Cuyahoga App. No. 77419. *Sua sponte*, cause dismissed as having been
improvidently allowed.

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

00-917. Witten v. Richmond Hts.

Cuyahoga App. No. 77728. Judgment affirmed.

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

00-1013. Tignor v. Franklin Cty. Bd. of Commrs.

Franklin App. No. 99AP-571. Judgment affirmed.

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

00-1067. Barberic v. Catholic Diocese of Cleveland.

Cuyahoga App. No. 77796. *Sua sponte*, cause dismissed as having been
improvidently allowed.

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

00-1134. Benton v. Cuyahoga Metro. Hous. Auth.

Cuyahoga App. No. 76508. Judgment affirmed.

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

00-1183. Banning v. Lake Cty.

Lake App. No. 99-L-113. Judgment affirmed.

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

00-1706. Drum v. Washlock.

Cuyahoga App. Nos. 74816 and 74817. Judgment affirmed.

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

00-1928. Conyne v. Cincinnati.

Hamilton App. No. C-000589. Judgment affirmed.

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

MOTION DOCKET

00-2141. Haynes v. Franklin.

Warren App. No. CA2000-03-025. On review of order certifying a conflict. The court determines that a conflict exists; the parties are to brief the issue stated in the court of appeals' Entry Granting In Part Motion to Certify Conflict filed November 13, 2000, at page 2:

“[W]hether an edge drop on the berm of a county or city road, in and of itself, constitutes a nuisance within the meaning of R.C. 2744.02(B)(3).”

Sua sponte, cause consolidated with 00-2004, *Haynes v. Franklin*, Warren App. No. CA2000-03-025.

The conflict case is *Thompson v. Muskingum Cty. Bd. of Commrs.* (Nov. 12, 1998), Muskingum App. No. CT98-0010, unreported, 1998 WL 817826.

DISCRETIONARY APPEALS ALLOWED

00-2004. Haynes v. Franklin.

Warren App. No. CA2000-03-025. Discretionary appeal allowed and cause consolidated with 00-2141, *Haynes v. Franklin*, Warren App. No. CA2000-03-025.

Moyer, C.J., would allow on Propositions of Law Nos. I and II.