

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

THURSDAY
June 21, 2001

MOTION DOCKET

99-570. DeRolph v. State.

Perry C.P. No. 22043. On June 18, 2001, the Ohio Legislative Black Caucus filed a supplement to its *amicus curiae* brief in support of appellee. Whereas there are no provisions in the Rules of Practice for filing a supplement to an *amicus brief* without prior leave of the court,

IT IS ORDERED by the court that the supplement be, and hereby is, stricken.

00-1595. State v. Barnes.

Portage App. No. 98-P-0052. This cause is pending before the court as an appeal from the Court of Appeals for Portage County. Upon consideration of the motion of *amicus curiae* Ohio Attorney General Betty D. Montgomery to participate in oral argument scheduled for September 19, 2001,

IT IS ORDERED by the court that the motion to participate in oral argument be, and hereby is, granted, and the *amicus curiae* shall share the time allotted to appellant.

01-1655. Lownsbury v. VanBuren.

Summit App. No. 19365. This cause is pending before the court as an appeal from the Court of Appeals for Summit County. Upon consideration of the motion of *amicus curiae* Ohio Academy of Trial Lawyers to participate in oral argument scheduled for October 2, 2001,

IT IS ORDERED by the court that the motion to participate in oral argument be, and hereby is, granted, and the *amicus curiae* shall share the time allotted to appellants.

00-1682. State v. Barnes.

Portage App. No. 98-P-0052. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Portage County. Upon consideration of the motion of *amicus curiae* Ohio Attorney General Betty D. Montgomery to participate in oral argument scheduled for September 19, 2001,

IT IS ORDERED by the court that the motion to participate in oral argument be, and hereby is, granted, and the *amicus curiae* shall share the time allotted to appellant.

00-1725. Charvat v. Dispatch Consumer Serv., Inc.

Franklin App. No. 99AP-1368. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's motion to share his allotted time at oral argument on October 3, 2001, with *amicus curiae* Robert Biggerstaff,

IT IS ORDERED by the court that appellant's motion to share his allotted time at oral argument with *amicus curiae* Robert Biggerstaff be, and hereby is, granted.

01-253. State v. Bryan.

Cuyahoga C.P. No. CR393660. This cause is pending before the court as an appeal of a death penalty conviction from the Cuyahoga County Court of Common Pleas. On February 5, 2001, this court ordered the Clerk of the Cuyahoga County Court of Common Pleas to certify and transmit the record in accordance with S.Ct.Prac.R. XIX. On April 6, 2001, this court granted appellant's motion for extension of time to transmit the record and ordered that the record be filed by June 4, 2001. It appearing to the court that the Clerk of the Cuyahoga County Court of Common Pleas has not filed the record as required by this court's order,

IT IS ORDERED by the court, *sua sponte*, that the Clerk of the Cuyahoga County Court of Common Pleas show cause within ten days of the date of this entry why he should not be held in contempt for failing to comply with this court's order.

MISCELLANEOUS DISMISSALS

01-1085. State ex rel. White v. Court of Appeals Eighth Judicial Dist.

In Mandamus. On June 14, 2001, relator tendered an affidavit of indigency in lieu of the docket fee upon filing this original action in mandamus. The jurat of the notary public is insufficient in that it does not indicate that the relator signed the affidavit of indigency in the presence of the notary. Therefore,

IT IS ORDERED by the court, *sua sponte*, that relator's affidavit of indigency be stricken and this case be dismissed for failure to comply with S.Ct.Prac.R. XV.

01-1118. State ex rel. Baldock v. Ghee.

In Mandamus. On June 18, 2001, relator tendered an affidavit of indigency in lieu of the docket fee upon filing this original action in mandamus. The jurat of the notary public is insufficient in that it does not indicate that the relator signed the affidavit in the presence of the notary and took an oath. Therefore,

IT IS ORDERED by the court, *sua sponte*, that relator's affidavit of indigency be stricken and this case be dismissed for failure to comply with S.Ct.Prac.R. XV.