

**SUPREME COURT OF OHIO**

**COLUMBUS**

**ANNOUNCEMENT**

**TUESDAY**  
August 21, 2001

**MOTION DOCKET**

**98-1586. State v. Murphy.**

Franklin C.P. 97CR052877. Upon consideration of the motions filed by counsel for appellant to stay the execution of sentence in the above-styled cause pending the timely filing of a petition for a writ of certiorari in the Supreme Court of the United States and pending the exhaustion of state postconviction remedies,

IT IS ORDERED by the court that said motions be, and the same are hereby, granted.

IT IS FURTHER ORDERED by the court that compliance with the mandate and execution of sentence be, and hereby are, stayed pending the timely filing of the petition in the Supreme Court of the United States.

IT IS FURTHER ORDERED that if such petition is timely filed, this stay shall continue for an indefinite period pending final disposition of this cause by the Supreme Court of the United States.

IT IS FURTHER ORDERED by the court that this stay shall remain in effect until exhaustion of all state postconviction proceedings, including any appeals.

IT IS FURTHER ORDERED that counsel for the appellant and for the appellee shall notify this court upon a final disposition by the Supreme Court of the United States or when all proceedings for postconviction relief before courts of this state have been exhausted, whichever occurs later.

**State v. Tibbetts.**

Hamilton C.P. B9708596. Upon consideration of the motion filed by counsel for appellant to stay execution in the above-styled cause pending the exhaustion of state postconviction remedies, and it appearing from the exhibits to the motion that postconviction proceedings are pending,

IT IS ORDERED by the court that said motion be, and the same is hereby, granted.

IT IS FURTHER ORDERED by the court that execution of sentence be, and the same is hereby, stayed pending the exhaustion of all proceedings for postconviction relief before courts of this state, including any appeals.

IT IS FURTHER ORDERED that counsel for the appellant and for the appellee shall notify this court when all proceedings for postconviction relief before courts of this state have been exhausted.

**01-113. Roesch v. Warren Distribution/Fleet Eng. Research.**

Cuyahoga App. No. 77121. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of the motion for acknowledgement of Reliance National Indemnity Company under Order of Rehabilitation, request for stay of proceedings, and request for expedited consideration, filed by appellee Clark Oil,

IT IS ORDERED by the court that the request for stay of proceedings be, and hereby is, granted pending further order of this court.

IT IS FURTHER ORDERED that appellee file a notice of the status of the rehabilitation within forty-five days of the date of this order.

**01-1271. State ex rel. Cincinnati Enquirer v. Spaeth.**

This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of the motion of Ohio Prosecuting Attorneys' Association to file an *amicus curiae* motion in support of respondent's motion to dismiss,

IT IS ORDERED by the court that the motion be, and hereby is, granted, and that the *amicus curiae* motion be filed within ten days of this entry and that relator file any reply within ten days after the motion is filed.

**01-1394. State ex rel. Howard v. Seaway Foodtown, Inc.**

Franklin App. No. 00AP-1097. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's amended request for findings of fact and conclusions of law,

IT IS ORDERED by the court that the request for findings of fact and conclusions of law be, and hereby is, denied.