

SUPREME COURT OF OHIO

COLUMBUS

ANNOUNCEMENT

MONDAY

October 29, 2001

MOTION DOCKET

01-1253. Layne v. Ohio Adult Parole Auth.

Marion App. No. 90106. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Marion County and has been consolidated with Supreme Court case No. 01-1266, *Layne v. Ohio Adult Parole Auth.*, for briefing and argument. Upon consideration of appellee's motion to clarify briefing schedule and to provide for an orderly briefing of the consolidated cases,

IT IS ORDERED by the court, effective October 26, 2001, that the briefing schedule provided for a case involving a cross-appeal in S.Ct.Prac.R. VI(5), shall be followed in this case.

IT IS FURTHER ORDERED by the court that appellee Wiley Layne shall now proceed as appellant/cross-appellee and appellant Ohio Adult Parole Authority shall now proceed as appellee/cross-appellant for all further proceedings in this case.

IT IS FURTHER ORDERED by the court that appellant/cross-appellee shall share the time for oral argument with the appellant in case No. 01-1443, *Houston v. Wilkinson et al.*, and that appellee/cross-appellant shall share time with the appellee in that case. Pursuant to S.Ct.Prac.R. IX(5)(A), fifteen minutes shall be allotted to each side for argument on the merits.

01-1253. Layne v. Ohio Adult Parole Auth.

Marion App. No. 90106. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Marion County. Upon consideration of appellee's motion to dismiss,

IT IS ORDERED by the court that the motion to dismiss be, and hereby is, denied, effective October 26, 2001.

01-1266. Layne v. Ohio Adult Parole Auth.

Marion App. No. 90106. This cause is pending before the court as an appeal from the Court of Appeals for Marion County and has been consolidated with Supreme Court case No. 01-1253, *Layne v. Ohio Adult Parole Auth.*, for briefing and argument. Upon consideration of appellant's motion to clarify briefing schedule and to provide for an orderly briefing of the consolidated cases,

IT IS ORDERED by the court, effective October 26, 2001, that the briefing schedule provided for a case involving a cross-appeal in S.Ct.Prac.R. VI(5), shall be followed in this case.

IT IS FURTHER ORDERED by the court that appellant Wiley Layne shall now proceed as appellant/cross-appellee and appellees Ohio Adult Parole Authority et al. shall now proceed as appellees/cross-appellants for all further proceedings in this case.

IT IS FURTHER ORDERED by the court that appellant/cross-appellee shall share the time for oral argument with the appellant in case No. 01-1443, *Houston v. Wilkinson et al.*, and that appellees/cross-appellants shall share time with the appellee in that case. Pursuant to S.Ct.Prac.R. IX(5)(A), fifteen minutes shall be allotted to each side for argument on the merits.

01-1443. Houston v. Wilkinson.

Allen App. No. 10152. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Allen County. On October 10, 2001, this case was consolidated with Supreme Court case Nos. 01-1253 and 01-1266, *Layne v. Ohio Adult Parole Auth.*, for purposes of argument and decision. Whereas the consolidation entry did not specify the structure of oral argument,

IT IS ORDERED by the court, *sua sponte*, effective October 26, 2001, that appellant shall share the time for oral argument with the appellant/cross-appellee in case Nos. 01-1253 and 01-1266 and the appellees shall share the time for oral argument with the appellees/cross-appellants in those cases. Pursuant to S.Ct.Prac.R. IX(5)(A), fifteen minutes shall be allotted to each side for argument on the merits.