

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

May 3, 2002

MOTION AND PROCEDURAL RULINGS

1996-0285. State v. Eley.

Mahoning App. No. 87CA122. On February 25, 1997, this court stayed the execution of sentence in this cause pending exhaustion of state post-conviction remedies. On April 5, 2002, appellant filed notice that he has exhausted all of his post-conviction proceedings in Ohio's courts. Upon consideration thereof,

IT IS ORDERED by the court, sua sponte, that the stay of execution entered in this cause on February 25, 1997, be and is hereby revoked.

IT IS HEREBY ORDERED by the court that said sentence be carried into execution by the Warden of the Southern Ohio Correctional Facility or, in his absence, by the Deputy Warden on Thursday, the 1st day of August, 2002, in accordance with the statutes so provided.

IT IS FURTHER ORDERED that a certified copy of this entry and a warrant under the seal of this court be duly certified to the Warden of the Southern Ohio Correctional Facility and that said Warden shall make due return thereof to the Clerk of the Court of Common Pleas of Mahoning County.

2001-0871. State v. Ahmed.

Belmont C.P. 99CR192. This cause is a death penalty appeal from the Court of Common Pleas of Belmont County. Upon consideration of appellant's motion to supplement the record with defense exhibit one and motion to unseal transcripts of proceedings under seal from case Nos. 00GD49 and 99CV437,

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

2002-0599. State v. Reese.

Clark App. No. 2001-CA-48, 2002-Ohio-937. On April 12, 2002, appellant filed a notice of appeal and a memorandum in support of jurisdiction listing Matthew Ryan Arntz as co-counsel on behalf of appellant. Matthew Ryan Arntz is admitted to practice in Ohio but is not currently registered pursuant to Gov.Bar R. VI. Whereas Matthew Ryan Arntz is not registered active as required by S.Ct.Prac.R. I(1),

IT IS ORDERED by the court, sua sponte, that the name of Matthew Ryan Arntz be stricken from appellant's notice of appeal and memorandum in support of jurisdiction, and he shall not be permitted to appear in this case.

DISCIPLINARY CASES

2000-2099. Cincinnati Bar Assn. v. Clapp & Affiliates Fin. Serv., Inc.

On April 3, 2002, this court ordered respondent Clapp, Inc., and intervening respondent Robert D. Clapp, to produce or cause to be produced within 10 days of the date of the order at the office of counsel for the relator certain documents and materials. This court further ordered Robert D. Clapp to file an affidavit with this court and with relator that he is no longer engaged and does not further intend to engage in any counseling or negotiation regarding legal matters for or on behalf of another, or appear in court by pleadings or personal appearance for or on behalf of any party other than himself, or engage in any practice that may constitute the practice of law.

Whereas the court has not received notice whether or not respondent Clapp, Inc., and intervening respondent Robert D. Clapp have fully complied with the April 3, 2002 order,

IT IS ORDERED by the court, sua sponte, that Cincinnati Bar Association shall file a notice, within 5 days of the date of this order, informing this court whether or not respondent Clapp, Inc., and intervening respondent Robert D. Clapp have fully complied with the April 3, 2002 order.

MISCELLANEOUS DISMISSALS

2001-1712. State ex rel. Graf v. Sears Roebuck & Co.

Franklin App. No. 00AP-1380. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of the joint application for dismissal with prejudice,

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.

2002-0023. State ex rel. Talliouris v. Corcon, Inc.

Franklin App. No. 00AP-1189. This cause is pending before the court as an appeal and cross-appeal from the Court of Appeals for Franklin County. Upon consideration of the joint application for dismissal of appeal and cross-appeal,

IT IS ORDERED by the court that the application for dismissal of appeal and cross-appeal be, and hereby is, granted.

ACCORDINGLY, IT IS FURTHER ORDERED by the court that this cause be, and hereby is, dismissed.

MEDIATION REFERRALS

The following cases have been referred to mediation pursuant to S.Ct.Prac.R. XIV(6):

2002-0497. State ex rel. Holiday v. Indus. Comm.

Franklin App. No. 01AP-390.

2002-0657. AEI Real Estate Fund XVIII, LP v. Franklin Cty. Bd. of Revision.

Board of Tax Appeals, No. 00-J-2187.

2002-0672. State ex rel. Stacy v. Batavia Local School Dist. Bd. of Edn.

Clermont App. No. CA2000-10-077, 2002-Ohio-1015.