

The Supreme Court of Ohio

CASE ANNOUNCEMENTS

April 17, 2002

MERIT DECISIONS WITHOUT OPINIONS

2002-0266. Williams v. Hamilton Cty. Court of Common Pleas.

In Mandamus. On complaint in mandamus of Donald L. Williams, Sr. On S.Ct.Prac.R. X(5) determination, cause dismissed.

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

2002-0388. State ex rel. Goins v. Bressler.

In Mandamus. On motion to dismiss. Motion to dismiss sustained. Cause dismissed.

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

2002-0390. Killings v. Gorman.

In Procedendo. On motion to dismiss. Motion to dismiss sustained. Cause dismissed.

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

2002-0399. Block v. Ohio Adult Parole Auth.

In Habeas Corpus. On petition for writ of habeas corpus of Samuel F. Block, Sr. Sua sponte, cause dismissed.

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

2002-0420. Mayes v. Gansheimer.

In Habeas Corpus. On petition for writ of habeas corpus of Keith A. Mayes. Sua sponte, cause dismissed.

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

2002-0428. McGrath v. Wilkerson.

In Habeas Corpus. On petition for writ of habeas corpus of Joseph James McGrath. Sua sponte, cause dismissed.

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

MOTION AND PROCEDURAL RULINGS

2001-1702. State ex rel. Beacon Journal Publishing Co. v. Bond.

Summit App. No. 20329. Sua sponte, case to be scheduled for oral argument.

2001-1723. State v. Frazier.

Cuyahoga App. No. 54771. On pro-se motion to strike appellant's merit brief filed by counsel, pro-se motion for appointment of requested counsel Jeffry F. Kelleher and Robert A. Dixon, and pro-se motion for stay of proceedings pending a ruling on motions to strike and for appointment of counsel. Motions denied.

2002-0131. State ex rel. Consumer News Serv., Inc. v. Worthington Bd. of Edn.

In Mandamus. On S.Ct.Prac.R. X(5) determination, relator's motion for leave to amend complaint, and respondents' motion to dismiss.

IT IS ORDERED that relator's motion for leave to amend its complaint be, and hereby is granted.

IT IS FURTHER ORDERED that respondents' motion to dismiss be, and hereby is, denied, and that an alternative writ be, and hereby is, granted, and that a schedule for the presentation of evidence and briefs be issued.

Moyer, C.J., and Lundberg Stratton, J., would grant the motion to dismiss.

2002-0396. State v. Reddick.

Lucas App. No. L-01-1410. On motion for leave to file delayed appeal. Motion denied.

Moyer, C.J., Pfeifer and Cook, JJ., dissent.

2002-0398. State v. Billiter.

Tuscarawas App. No. 01AP080077. On motion for leave to file delayed appeal. Motion denied.

2002-0401. State v. McGrath.

Cuyahoga App. No. 80645. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2002-0405. Andreano v. Westlake City Council.

Cuyahoga App. No. 79286. On motion for stay of court of appeals' judgment. Motion denied.

Cook and Lundberg Stratton, JJ., dissent.

2002-0416. State v. Callahan.

Summit App. No. 20432. On motion for leave to file delayed appeal. Motion denied.

Pfeifer, J., dissents.

2002-0418. State v. Reeder.

Ashtabula App. No. 2000-A-0089. On motion for leave to file delayed appeal. Motion denied.

2002-0438. State v. Stair.

Warren App. No. CA2001-03-017. On motion for leave to file delayed appeal. Motion denied.

Moyer, C.J., Pfeifer and Lundberg Stratton, JJ., dissent.

2002-0446. State v. Sherman.

Clermont App. No. CA99-11-106. On motion for leave to file delayed appeal. Motion denied.

2002-0448. State v. Owens.

Montgomery App. No. 17394. On motion for leave to file delayed appeal. Motion denied.

2002-0454. State v. Easley.

Franklin App. No. 01AP-31. On motion for leave to file delayed appeal. Motion granted.

Resnick and F.E. Sweeney, JJ., dissent.

APPEALS ALLOWED FOR REVIEW

2002-0101. Colbert v. Cleveland.

Cuyahoga App. No. 77635.

Resnick, Pfeifer and Lundberg Stratton, JJ., dissent.

2002-0227. Lehtinen v. Mervart.

Cuyahoga App. No. 79164.

Resnick and Pfeifer, JJ., dissent.

APPEALS NOT ALLOWED FOR REVIEW

2001-2181. State v. Latham.

Coshocton App. No. 01CA1.

2001-2230. Barker v. Netcare Corp.

Franklin App. No. 01AP-230.

Lundberg Stratton, J., dissents.

2002-0078. State v. Cominsky.

Lake App. No. 2001-L-023.

2002-0119. State v. Brown.

Clermont App. No. CA2001-04-047.

2002-0121. State v. Greene.

Sandusky App. No. S-01-015.

2002-0122. State v. Lipscomb.

Hamilton App. No. C-000737.

2002-0123. State v. Formica.

Lake App. No. 2000-L-094.

2002-0133. State v. Mollohan.

Washington App. No. 01CA39.

2002-0135. Fernback v. Fernback.

Mahoning App. No. 00CA276.

Lundberg Stratton, J., dissents.

2002-0136. State v. Brooks.
Hamilton App. No. C-000763.

2002-0137. State v. Youngblood.
Greene App. No. 01CA67.

2002-0139. State v. Gillman.
Franklin App. No. 01AP-662.

2002-0141. Frontier Community Serv., Inc. v. Knoll Group Partners.
Jackson App. No. 00CA22.
Pfeifer, J., dissents.

2002-0143. State v. Payton.
Cuyahoga App. No. 79302.
Moyer, C.J., and Pfeifer, J., dissent.

2002-0145. Detlef v. Detlef.
Lucas App. No. L-00-1137.
Resnick, J., not participating.

2002-0147. State v. Blankenship.
Cuyahoga App. No. 77900.

2002-0155. Shoney's, Inc. v. Winthan Properties, Inc.
Franklin App. No. 01AP-145.
Cook, J., dissents.

2002-0157. O'Brien v. Product Design Ctr., Inc.
Franklin App. Nos. 01AP-454 and 01AP-495.
F.E. Sweeney, J., dissents.

2002-0160. Bordelon v. Franklin Twp.
Franklin App. No. 01AP-256.
F.E. Sweeney, J., dissents.

2002-0163. Kuhn v. Ferrante.
Stark App. No. 2001CA00068.

2002-0166. State v. Anderson.
Geauga App. No. 2000-G-2316.

2002-0167. State v. LeSure.
Lorain App. No. 01CA007927.

2002-0168. State v. Engelhart.
Lorain App. No. 01CA007901.

2002-0170. State v. Altschuler.
Mahoning App. No. 99CA204.

2002-0171. State v. Gaston.
Belmont App. No. 98BA52.
Pfeifer, J., dissents.

2002-0172. Lapping v. HM Health Serv.
Trumbull App. No. 2000-T-0061.

2002-0174. Norwood v. Robinson.
Hamilton App. No. C-010307.

2002-0178. Franklin Twp. Bd. of Trustees v. Armentrout.
Portage App. No. 2000-P-0082.
Moyer, C.J., dissents.

2002-0179. State v. Riddle.
Mahoning App. No. 99CA147.

2002-0180. State v. Issa.
Hamilton App. No. C-000793.

2002-0183. DeAnda v. Vanegas Enterprises-Corro-Flo Eng., Inc.
Hancock App. No. 5-01-18.
Douglas and F.E. Sweeney, JJ., dissent.

2002-0184. Mootispaw v. Ghee.
Franklin App. No. 01AP-663.

2002-0185. Moton v. Ford Motor Credit Co.

Richland App. No. 01CA4.

F.E. Sweeney, J., dissents.

2002-0187. Clark v. Alberini.

Trumbull App. No. 2001-T-0015.

Pfeifer, J., dissents.

2002-0192. State v. Baker.

Cuyahoga App. No. 79673.

2002-0195. State v. Grimes.

Marion App. No. 9-01-22.

2002-0202. Kenkel v. Hamilton Cty. Bd. of Commrs.

Hamilton App. No. C-010347.

2002-0203. N. Olmsted Land Holding, Ltd. v. N. Olmsted Planning Comm.

Cuyahoga App. No. 77584.

2002-0220. Am. Legion Post 200 v. Ohio Liquor Control Comm.

Franklin App. No. 01AP-684.

2002-0232. State v. Harrison.

Lake App. No. 2000-L-212.

2002-0240. State v. Davie.

Trumbull App. No. 2000-T-0104.

Douglas, J., dissents and would allow on Proposition of Law No. I.

2002-0243. Edelman v. Kohut.

Belmont App. No. 00BA51.

Pfeifer, J., dissents.

2002-0250. State v. Foster.

Trumbull App. No. 2000-T-0033.

2002-0258. Collier v. Harrison Cty. Aud.

Harrison App. No. 00523CA.

Pfeifer, J., dissents.

2002-0267. Snow v. Brown.

Franklin App. Nos. 01AP-1018 and 01AP-764.

2002-0273. State v. Scott.

Stark App. No. 2001CA00004.

2002-0373. State v. Johnson.

Cuyahoga App. No. 70234.

RECONSIDERATION OF PRIOR DECISIONS

1998-0904. State v. Herring.

Mahoning C.P. No. 96CR339. Reported at 94 Ohio St.3d 246, 762 N.E.2d 940.
On motion for reconsideration. Motion denied.

Cook, J., not participating.

1998-2360. State v. Twyford.

Jefferson App. No. 93J13. Reported at 94 Ohio St.3d 340, 763 N.E.2d 122. On
motion for reconsideration. Motion denied.

Pfeifer and Lundberg Stratton, JJ., dissent.

2000-2036. State ex rel. Miller v. Parma.

Franklin App. No. 99AP-1173. Reported at 94 Ohio St.3d 402, 763 N.E.2d 179.
On motion for reconsideration and motion for leave to file a motion for
reconsideration of Ohio AFL-CIO. Motions denied.

2001-2153. Bank One, Akron, N.A. v. Malz.

Medina App. No. 3167-M. Reported at 94 Ohio St.3d 1486, 763 N.E.2d 1184. On
motion for reconsideration. Motion denied.

2001-2215. In re Wint.

Cuyahoga App. No. 80323. Reported at 94 Ohio St.3d 1487, 763 N.E.2d 1185.
On motion for reconsideration. Motion denied.

Moyer, C.J., and Lundberg Stratton, J., dissent.

2001-2242. Rust v. Brewer.

Lucas App. No. L-00-1219. Reported at 94 Ohio St.3d 1488, 763 N.E.2d 1185.
On motion for reconsideration. Motion denied.

Resnick, J., not participating.

2002-0086. In re Milgrim.

Cuyahoga App. No. 79330. Reported at 94 Ohio St.3d 1489, 763 N.E.2d 1186.
On motion for reconsideration. Motion denied.