

# The Supreme Court of Ohio

COLUMBUS

## ANNOUNCEMENT

9:00 A.M.

WEDNESDAY  
February 13, 2002

### MERIT DOCKET

**01-2226. State ex rel. Wyrick v. Fairfield Cty. Court of Common Pleas.**

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.

**01-2275. State ex rel. Harris v. Eighth Dist. Court of Appeals.**

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.

**02-72. In re Martz.**

In Habeas Corpus. On petition for writ of habeas corpus of Larry Keith Martz. *Sua sponte*, cause dismissed.

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

## **MOTION DOCKET**

### **01-609. In re Bicknell.**

Butler App. Nos. CA2000-07-140 and CA2000-07-141. On motion for admission *pro hac vice* of Heather C. Sawyer by Elliot T. Fishman. Motion granted.

### **01-1407. D.A.B.E., Inc. v. Toledo-Lucas Cty. Bd. of Heath.**

Certified State Law Question, No. 301CV7334. On motion to strike *amicus curiae* brief of American Cancer Society, American Lung Association, et al. Motion denied.

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

### **02-66. State v. Folden.**

Hamilton App. Nos. C-990898 and C-990902. On motion for leave to file delayed appeal. Motion denied.

Lundberg Stratton, J., dissents.

### **02-69. State v. Ames.**

Butler App. No. CA2000-02-024. On motion for leave to file delayed appeal. Motion denied.

## **APPEALS ALLOWED**

### **01-1984. In re Estate of Rosenberg.**

Lucas App. No. L-01-1016. Appeal allowed on Propositions of Law Nos. I, II, and III and cause held for the decision in 00-2138, *In re Estate of Roberts*, Miami App. No. 2000CA15; briefing schedule stayed.

### **01-2016. Sanders v. United Parcel Serv., Inc.**

Hamilton App. No. C-010108. On motion for admission *pro hac vice* of James Cockrum and Susan Lonowski by H. Lawson Walker for United Parcel Service, Inc. Motion granted.

Cook and Lundberg Stratton, JJ., dissent.

Appeal allowed.

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

**01-2036. Ohio State Bldg. & Constr. Trades Council v. Cuyahoga Cty. Bd. of Commrs.**

Cuyahoga App. Nos. 77242 and 77262. On discretionary appeal, on motion for admission *pro hac vice* of Victoria L. Bor for Building and Construction Trades Council by Mark Tucker, and motion for admission *pro hac vice* of E. Carl Uehlin, Jr., by Terra E. Castaldi for The North American Contractors Association. Appeal allowed and motions granted.

Moyer, C.J., dissents.

**01-2090. Grabowski v. Natl. Fire Ins. Co.**

Cuyahoga App. No. 78712. Appeal allowed and cause held for the decision in 01-1786, *Lemm v. The Hartford*, Franklin App. No. 01AP-251; briefing schedule stayed.

Lundberg Stratton, J., dissents.

**01-2100. Landmark Ins. Co. v. Cincinnati Ins. Co.**

Portage App. No. 2000-P-0093.

Moyer, C.J., dissents.

Cook, J., not participating.

**APPEALS NOT ALLOWED**

**01-2035. Calvary Investments, L.L.C. v. Vonderheide.**

Hamilton App. No. C-010359.

Lundberg Stratton, J., dissents.

**01-2094. State v. Jones.**

Franklin App. Nos. 01AP-437 and 01AP-438.

**01-2095. McPherson v. Goodyear Tire & Rubber Co.**

Summit App. No. 20579.

**01-2098. Bley v. Christ Hosp.**

Hamilton App. No. C-010063.

Resnick, J., dissents.

**01-2102. Akron v. Bozic.**

Summit App. No. 20351.

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

**01-2103. State v. Anderson.**

Cuyahoga App. No. 78887. Discretionary appeal and cross-appeal not allowed.

**01-2105. State v. Jordan.**

Montgomery App. No. 18600.

**01-2108. State v. Wilbon.**

Hamilton App. No. C-000813.

**01-2110. State v. Williams.**

Hamilton App. No. C-010272.

**01-2111. State v. Irwin.**

Lorain App. No. 01CA007769.

Moyer, C.J., would allow and hold this cause for the decisions in 01-1375 and 01-1480, *State v. Northern*, Allen App. No. 1-01-01, and 01-1161 and 01-1247, *State v. Bush*, Union App. No. 14-2000-44.

**01-2112. State v. Groom.**

Lucas App. No. L-00-1104.

Resnick, J., not participating.

**01-2114. State v. Brown.**

Lucas App. No. L-00-1123.

Pfeifer, J., dissents.

**01-2116. Smith v. Sherwin-Williams Co.**

Lorain App. No. 01CA007802.

**01-2117. Hammond v. Klonowski.**

Erie App. No. E-01-038.

Resnick, J., not participating.

**01-2124. State v. Nixon.**

Lorain App. Nos. 00CA007624 and 00CA007638.

**01-2127. Harris v. McKee.**

Summit App. No. 20495.

**01-2128. State v. DeLeon.**  
Montgomery App. No. 18114.

**01-2129. State v. Norman.**  
Franklin App. No. 01AP-588.

**01-2131. State v. Pennington.**  
Cuyahoga App. No. 78878.

**01-2147. State v. Wyckoff.**  
Cuyahoga App. No. 78233.

**01-2148. State v. Gholston.**  
Hamilton App. No. C-010104.

**01-2151. Hrastar v. Thompson.**  
Geauga App. No. 2000-G-2276.  
Resnick, J., dissents.

**01-2156. State v. Hughes.**  
Ashtabula App. No. 2000-A-0046.

**01-2167. State v. Hutchison.**  
Tuscarawas App. No. 2001AP030020.

**01-2247. State v. Roberts.**  
Hamilton App. No. C-000756.

**01-2254. State v. Wellman.**  
Wayne App. No. 01CA0004.

**01-2274. State v. Thomas.**  
Hamilton App. No. C-010375.

**01-2277. In re King.**  
Cuyahoga App. No. 79854.

**02-39. In re Adoption of Stephens.**  
Montgomery App. No. 18956.  
Lundberg Stratton, J., dissents.