

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

October 25, 2002

MOTION AND PROCEDURAL RULINGS

2001-0625. In re Ray.

Hamilton App. Nos. C-000436 and C-000437. This cause came on for further consideration upon the motion for leave of amici curiae the General Assembly of the state of Ohio et al. to file a memorandum in opposition to appellants' motion for reconsideration under S.Ct.Prac.R. XI. Upon consideration thereof,

IT IS ORDERED by the court that the motion for leave to file a memorandum in opposition to appellants' motion for reconsideration be, and hereby is, granted.

Cook, J., dissents.

IT IS FURTHER ORDERED that the memorandum in opposition to appellants' motion for reconsideration shall be filed within 7 days of the date of this entry.

Cook, J., dissents.

2002-0840. State v. Taylor.

Cuyahoga App. No. 79475, 2002-Ohio-1554. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of the joint motion to consolidate briefing in Supreme Court case Nos. 2002-0840, *State v. Taylor*, Cuyahoga App. No. 79475, 2002-Ohio-1554, and 2002-0841, *State v. Wilson*, Cuyahoga App. No. 79485, 2002-Ohio-1846,

IT IS ORDERED by the court that the motion to consolidate briefing be, and hereby is, granted.

IT IS FURTHER ORDERED that the parties shall combine the briefing of case Nos. 2002-0840 and 2002-0841 and file one brief for each brief permitted under S.Ct.Prac.R. VI. The parties shall file an original of the brief in each case and 18 copies of the brief.

IT IS FURTHER ORDERED that appellant's merit brief shall be filed on or before November 19, 2002, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

2002-0841. State v. Wilson.

Cuyahoga App. No. 79485, 2002-Ohio-1846. This cause is pending before the court as an appeal from the Court of Appeals for Cuyahoga County. Upon consideration of the joint motion to consolidate briefing in Supreme Court case Nos. 2002-0840, *State v. Taylor*, Cuyahoga App. No. 79475, 2002-Ohio-1554, and 2002-0841, *State v. Wilson*, Cuyahoga App. No. 79485, 2002-Ohio-1846,

IT IS ORDERED by the court that the motion to consolidate briefing be, and hereby is, granted.

IT IS FURTHER ORDERED that the parties shall combine the briefing of case Nos. 2002-0840 and 2002-0841 and file one brief for each brief permitted under S.Ct.Prac.R. VI. The parties shall file an original of the brief in each case and 18 copies of the brief.

IT IS FURTHER ORDERED that appellant's merit brief shall be filed on or before November 19, 2002, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

2002-0961. Cincinnati Gas & Elec. Co. v. Clermont Cty. Bd. of Revision.

Board of Tax Appeals, Nos. 98-K-707 and 98-K-708. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the joint motion for extension of time to file appellant's merit brief pursuant to S.Ct.Prac.R. XIV(6)(C),

IT IS ORDERED by the court that the motion for extension of time be, and hereby is, granted, and appellant's merit brief is due on or before November 1, 2002. The remainder of the briefing schedule established in this court's August 16, 2002 entry remains in effect.

MISCELLANEOUS DISMISSALS

2002-0498. Diamond Sparkler Mfg. Co. v. Zaino.

Board of Tax Appeals, No. 99-N-197. This cause is pending before the court as a cross-appeal from the Board of Tax Appeals. Upon consideration of appellee/cross-appellant's application for dismissal of the cross-appeal,

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

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

2002-0500. B.J. Alan Co. v. Zaino.

Board of Tax Appeals, No. 99-N-196. This cause is pending before the court as a cross-appeal from the Board of Tax Appeals. Upon consideration of appellee/cross-appellant's application for dismissal of the cross-appeal,

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

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

2002-1371. State ex rel. Anderson v. Wilkinson.

Franklin App. No. 02AP-147. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. It appears from the records of this court that appellant has not filed a merit brief, due October 15, 2002, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

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

2002-1679. State ex rel. Bain Bldrs., Inc. v. Boyko.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. Upon consideration of the joint application for dismissal,

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.

MEDIATION REFERRALS

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

2002-1454. State ex rel. Weist v. Cuyahoga Cty. Bd. of Commrs.

In Mandamus.

ADMINISTRATIVE ACTIONS

1. Samuel Z. Kaplan, Lynn Reynolds, and Judge R. Scott Krichbaum were reappointed to the Board of Bar Examiners.

2. David T. Henderson was appointed to the Commission on Certification of Attorneys as Specialists.

3. Luis M. Alcalde and Capt. Robert W. Everett were appointed to the Board of Commissioners of the Clients' Security Fund of Ohio.

4. Prof. Robin Kennedy and Lt. Clifton L. Spinner were reappointed to the Commission on Professionalism. Sarah D. Morrison was appointed to the commission. Barbara G. Watts was appointed Chair of the commission.

5. Cheryl Washington was reappointed to the Commission on Continuing Legal Education. Paul Weimer was appointed to the commission.

6. Lawrence Elleman and David J. Young were reappointed to the Supreme Court Rules Advisory Committee. Judge James A. Brogan and Nancy C. Schuster were appointed to the committee. David J. Young was appointed Chair of the committee. Judge Thomas J. Grady was appointed Vice-Chair of the committee.

7. Karyn R. McConnell and Paul M. Herbert were reappointed to the Traffic Rules Review Commission.

8. Louis Arden Boettler was reappointed to the Board of Commissioners on Grievances and Discipline of the Supreme Court.

9. Dean Athornia Steele was appointed to the Commission on Legal Education Opportunity.

10. Judge William H. Harsha III was reappointed to the Board of Commissioners on Character and Fitness.

11. Ralph E. Dill was reappointed Chair of the Board of Commissioners on the Unauthorized Practice of Law.

12. Benson A. Wolman was appointed Chair of the Committee for Lawyer Referral and Information Services.