

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

December 29, 2003

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### MERIT DECISIONS WITHOUT OPINIONS

**2003-0220. Scaglione v. Kraftmaid Cabinetry, Inc.**

Geauga App. No. 2001-G-2364, 2002-Ohio-6917. This cause is pending before the court as an appeal from the Court of Appeals for Geauga County. Upon consideration of the merits, the judgment and opinion of the court of appeals is vacated and this cause is dismissed as moot.

It is further ordered that the parties are to bear their respective costs herein expended; and that a mandate be sent to the Court of Common Pleas for Geauga County to carry this judgment into execution; and that a copy of this entry be certified to the Clerk of the Court of Appeals for Geauga County for entry.

Moyer, C.J., Resnick, F.E. Sweeney, Pfeifer, Lundberg Stratton, O'Connor and O'Donnell, JJ., concur.

### MOTION AND PROCEDURAL RULINGS

**2003-1572. State ex rel. Howard v. Indus. Comm.**

Franklin App. No. 97AP-860. This cause came on for further consideration upon appellant's response to this court's show cause order. Upon consideration thereof,

IT IS ORDERED by the court that appellant shall pay attorney fees.

IT IS FURTHER ORDERED by the court, sua sponte, that appellees shall file a bill and documentation in support of an award for attorney fees, in accordance with guidelines set forth in DR 2-106, within 20 days of the date of this entry; appellant may file objections to appellees' bill and documentation within 10 days of the filing of the bill and documentation; appellees may file a reply to appellant's objections, if any, within 5 days of the filing of objections.

**2003-1631. State ex rel. Kinzer v. Sencorp/Senco.**

Franklin App. No. 02AP-1054, 2003-Ohio-4178. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's motion for extension of time to file 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 December 31, 2003.

**2003-1682. State ex rel. Regal Ware, Inc. v. Indus. Comm.**

Franklin App. No. 02AP-1264, 2003-Ohio-4184. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's motion for extension of time to file 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 January 16, 2004.

**2003-1710. Cambridge Commons Ltd. Partnership v. Guernsey Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2002-V-1272. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of appellant's motion for extension of time to file 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 January 2, 2004.

**2003-1925. Monarch Properties, L.P. v. Medina Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2002-M-1392. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the parties' joint motion to remand this cause to the Board of Tax Appeals,

It is ordered by the court that the joint motion to remand be, and hereby is, granted, and this cause is remanded to the Board of Tax Appeals to implement the settlement agreement of the parties.

It is further ordered that the parties are to bear their respective costs herein expended; and that a mandate be sent to the Board of Tax Appeals to carry this judgment into execution; and that a copy of this entry be certified to the Board of Tax Appeals.

**2003-2165. State v. Koliser.**

Mahoning C.P. No. 2003-CR-535. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas for Mahoning County. Upon consideration of appellant's motion for stay of execution pending appeal to this court,

IT IS ORDERED by the court that the motion for stay be, and hereby is, granted.

**DISCIPLINARY CASES**

**2003-1943. Akron Bar Assn. v. Holder.**

On December 8, 2003, relator filed a cross-objection to the recommendation of the Board of Commissioners on Grievances and Discipline and a brief in support of the cross-objection. Whereas, these documents were not filed within the time deadline imposed by this court's November 14, 2003 order,

IT IS ORDERED by the court, sua sponte, that the cross-objection and brief in support be, and hereby are, stricken.