

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

March 12, 2003

MERIT DECISIONS WITH OPINIONS

2002-0460. Nusseibeh v. Zaino, 2003-Ohio-855.

Board of Tax Appeals, No. 2000-N-2089. Decision affirmed.

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

Pfeifer, J., dissents.

2002-1120. State ex rel. Walker v. Kilbane Koch, 2003-Ohio-856.

Cuyahoga App. No. 81131, 2002-Ohio-2620. Judgment affirmed.

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

2002-1416. State ex rel. Marshall v. Glavas, 2003-Ohio-857.

Lorain App. No. 02CA008023. Judgment affirmed.

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

2002-1424. State ex rel. Denton v. Bedinghaus, 2003-Ohio-861.

Hamilton App. No. C-000819, 2002-Ohio-3273. Judgment affirmed.

Moyer, C.J., Resnick, Cook and O'Connor, JJ., concur.

F.E. Sweeney, Pfeifer and Lundberg Stratton, JJ., concur in part and dissent in part.

2002-1530. State ex rel. McCuller v. Callahan, 2003-Ohio-858.

Cuyahoga App. No. 81503, 2002-Ohio-7454. Judgment affirmed.

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

2002-1691. In re Bailey, 2003-Ohio-859.

Hamilton App. No. C-020401. Judgment affirmed.

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

APPEALS NOT ACCEPTED FOR REVIEW

2001-1430. State v. Taylor.

Greene App. Nos. 2000CA103 and 2000CA77.

2002-1923. Stiffler v. Canterbury Runn Apts.

Montgomery App. No. 19308, 2002-Ohio-5382.

2002-1934. Bertsch v. Procter & Gamble Co.

Hamilton App. No. C-010619.

Moyer, C.J., and Resnick, J., not participating.

2002-1945. State v. Stafford.

Noble App. No. 265, 2002-Ohio-5243 and 2002-Ohio-7184.

2002-1948. State v. Gaefe.

Clinton App. No. CA2001-11-043, 2002-Ohio-4995.

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

O'Connor, J., not participating.

2002-1949. B.F. Goodrich Co. v. Commercial Union Ins. Co.

Summit App. No. 20936. On discretionary appeal, motion for admission pro hac vice of Robert V. P. Waterman by Brian D. Sullivan, motion for admission pro hac vice of Thomas D. Waterman by Brian D. Sullivan, motion for admission pro hac vice of Mark W. Zimmerman by Steven G. Janik for American Home Assurance Company et al., motion for admission pro hac vice of Margaret J. Orbon by Steven G. Janik for American Home Assurance Company et al., motion for admission pro hac vice of Susan Condon by Steven G. Janik for American Home Assurance Company et al., motion for admission pro hac vice of attorneys Haarlow, Griffin, Comiskey, Schlessinger & Balsam for Lloyds, London et al., and motion for admission pro hac vice of Maria G. Enriquez and Ellen J. Zabinski for American Re-Insurance, et al. Appeal not allowed and motions denied as moot.

Cook, J., not participating.

2002-1960. State v. Raney.

Knox App. Nos. 02CA14 and 02CA16, 2002-Ohio-5295.

2002-1969. State v. Tucker.

Cuyahoga App. No. 80221, 2002-Ohio-4902.

2002-1973. Fairfield v. Reid.

Butler App. No. CA2002-04-096.

2002-1975. Upper Sandusky v. Studer.

Wyandot App. No. 16-01-18, 2002-Ohio-5139.

2002-1976. Syslo v. Syslo.

Lucas App. No. L-01-1273, 2002-Ohio-5205.

2002-1978. State v. Brandt.

Tuscarawas App. No. 2002AP020008, 2002-Ohio-5474.

O'Connor, J., not participating.

2002-1982. State v. Dissinger.

Delaware App. No. 02CAA02010, 2002-Ohio-5301.

Moyer, C.J., Cook and O'Connor, JJ., dissent.

2002-2000. State v. Twitty.

Montgomery App. No. 18749, 2002-Ohio-5595.

2002-2001. State v. McCullough.

Fayette App. No. CA2001-10-015, 2002-Ohio-5453.

2002-2003. State ex rel. Montgomery v. Cleveland Golden Gloves Assn.

Cuyahoga App. Nos. 80749 and 80750, 2002-Ohio-5081.

Resnick and Lundberg Stratton, JJ., dissent.

2002-2005. State v. Coleman.

Clark App. No. 2001CA42, 2002-Ohio-5377.

2002-2007. Ferro Corp. v. Blaw-Knox Food & Chem. Equip. Co.

Cuyahoga App. No. 80804, 2002-Ohio-5472.

Lundberg Stratton, J., would allow on Proposition of Law No. I.

Moyer, C.J., would allow.

2002-2009. Bart v. Hughes.

Clermont App. No. CA2002-02-016, 2002-Ohio-5452.

2002-2011. State v. Simpson.

Columbiana App. No. 01CO29, 2002-Ohio-5374.

2002-2013. Cummings v. Sears, Roebuck & Co.

Cuyahoga App. No. 80747, 2002-Ohio-5078.

Pfeifer, J., dissents.

2002-2014. Murphy v. Ohio Dept. of Rehab. & Corr.

Franklin App. No. 02AP-132, 2002-Ohio-5170.

2002-2017. State v. Mobley.

Montgomery App. No. 19176, 2002-Ohio-5535.

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

2002-2018. Edmonson v. Premier Indus. Corp.

Cuyahoga App. No. 81132, 2002-Ohio-5573.

Moyer, C.J., F.E. Sweeney and Pfeifer, JJ., dissent, would allow, and would reverse this cause on the authority of *Kemper v. Michigan Millers Mut. Ins. Co.*, 98 Ohio St.3d 162, 2002-Ohio-7101, 781 N.E.2d 196.

2002-2021. Boughan v. Grange Mut. Ins. Co.

Allen App. No. 1-02-44, 2002-Ohio-5421. Discretionary appeal and cross-appeal not allowed.

F.E. Sweeney, J., dissents.

2002-2022. State v. Edwards.

Lucas App. Nos. L-00-1149 and L-00-1190, 2002-Ohio-5502.

2002-2023. State v. Prater.

Cuyahoga App. No. 80678, 2002-Ohio-5844.

Resnick, J., dissents.

2002-2024. Geraldo v. First Dominion Mut. Life Ins. Co.

Lucas App. No. L-01-1210, 2002-Ohio-4654.

2002-2028. State v. Curtis.

Marion App. No. 9-02-11, 2002-Ohio-5409.

2002-2029. State v. Lawrence.

Montgomery App. No. 19059, 2002-Ohio-5533.

F.E. Sweeney, J., dissents.

2002-2031. State v. Artiaga.

Ottawa App. No. OT-02-001, 2002-Ohio-5903.

2002-2036. State v. Richard.

Cuyahoga App. No. 80428, 2002-Ohio-5959.

2002-2038. McGowan v. Stoyer.

Franklin App. No. 02AP-263, 2002-Ohio-5410.

2002-2039. Williams v. Countrywide Home Loans.

Lucas App. No. L-01-1473, 2002-Ohio-5499.

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

2002-2041. State v. Saade.

Cuyahoga App. Nos. 80705 and 80706, 2002-Ohio-5564.

2002-2042. In re Deposition of Turvey.

Van Wert App. No. 15-02-07, 2002-Ohio-6008.

Cook, J., dissents.

2002-2044. Johnston v. Wayne Mut. Ins. Co.

Pickaway App. No. 02CA3, 2002-Ohio-6157.

F.E. Sweeney, J., dissents and would decide this cause on the authority of *Kemper v. Michigan Millers Mut. Ins. Co.*, 98 Ohio St.3d 162, 2002-Ohio-7101, 781 N.E.2d 196.

2002-2046. Mitchell v. Parkridge Apts., Ltd.

Cuyahoga App. No. 81046, 2002-Ohio-5357.

F.E. Sweeney, J., dissents.

2002-2048. Accent Group, Inc. v. N. Randall.

Cuyahoga App. No. 80890, 2002-Ohio-5349.

2002-2049. State v. Jordan.

Cuyahoga App. No. 80851, 2002-Ohio-5086.

2002-2051. State v. Chapman.

Cuyahoga App. No. 73609, 2002-Ohio-5558.

2002-2052. State v. Bedwell.

Clermont App. No. CA2002-01-001, 2002-Ohio-5511.

2002-2053. State v. Gaston.

Lucas App. No. L-02-1311.

2002-2055. State ex rel. Hardin Cty. Publishing Co. v. Hardin Mem. Hosp.

Hardin App. No. 6-02-04, 2002-Ohio-5586.

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

**2002-2056. In re Proposed Transfer of Territory from Clermont
Northeastern Local School Dist.**

Franklin App. No. 02AP-257, 2002-Ohio-5522.

2002-2057. State v. Lawson.

Lake App. No. 2001-L-071, 2002-Ohio-5605.

2002-2060. State v. Blake.

Licking App. No. 02CA36, 2002-Ohio-6018.

2002-2062. Chase v. Westfield Ins. Co.

Cuyahoga App. No. 80770, 2002-Ohio-5471.

2002-2065. State v. Mulhern.

Vinton App. No. 02CA565, 2002-Ohio-5982.

2002-2067. Thrower v. Akron Dept. of Health Hous. Appeals Bd.

Summit App. No. 21061, 2002-Ohio-5943.

2002-2071. State v. Manley.

Allen App. No. 1-01-159, 2002-Ohio-5582.

2002-2072. Cicchini v. Crew.

Cuyahoga App. No. 80723, 2002-Ohio-5467.

2002-2073. Modie v. Andrews.

Summit App. No. 21029, 2002-Ohio-5765.

O'Connor, J., not participating.

2002-2074. State v. Bayless.

Franklin App. No. 02AP-215, 2002-Ohio-5791.

2002-2076. Lintner v. Midwestern Indemn. Co.

Butler App. No. CA2002-04-077, 2002-Ohio-5609.

2002-2079. Hudson v. McCarthy.

Cuyahoga App. No. 80769, 2002-Ohio-5470.

F.E. Sweeney, J., dissents.

2002-2081. Archibald v. Gold Key, Inc.

Stark App. No. 2002CA00118, 2002-Ohio-5761.

2002-2085. State v. Tejada.

Summit App. No. 20947, 2002-Ohio-5777.

2002-2087. State v. McIntosh.

Hamilton App. No. C-010684.

2002-2092. Kovacic v. Schrock.

Medina App. No. 02CA0084M.

2002-2097. State v. Otterman.

Summit App. No. 21005, 2002-Ohio-5772.

O'Connor, J., not participating.

2002-2100. State v. Zuniga.

Lucas App. No. L-00-1265, 2002-Ohio-5902.

Resnick, J., not participating.

2002-2101. State Farm Cas. Co. v. Black & Decker (U.S.), Inc.

Cuyahoga App. No. 79573, 2002-Ohio-5821.

Moyer, C.J., F.E. Sweeney and Pfeifer, JJ., dissent.

2002-2107. Chance v. Chance.

Wayne App. Nos. 02CA0003 and 02CA0011, 2002-Ohio-5767.

2002-2108. State v. Coulibaly.

Hamilton App. No. C-010788.

2002-2113. State v. Bishop.

Cuyahoga App. No. 80876, 2002-Ohio-5565.

2002-2166. Fishel v. Fishel.

Tuscarawas App. No. 2002AP030023, 2002-Ohio-6178.

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

2003-0071. In re Williams.

Franklin App. No. 02AP-924, 2002-Ohio-7205.