

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

January 13, 2004

MOTION AND PROCEDURAL RULINGS

1987-1879. State v. Roe.

Franklin App. No. 86AP-59. By entry filed December 10, 2003, this court ordered that appellant's sentence be carried into execution on Tuesday, the 3rd day of February, 2004. In order to facilitate this court's timely consideration of any matters relating to the execution of appellant's sentence,

IT IS ORDERED by the court that the Chief Justice may suspend application of any provisions of the Rules of Practice of the Supreme Court, including, but not limited to, the filing requirements imposed by S.Ct.Prac.R. XIV(1).

IT IS FURTHER ORDERED by the court that service of documents as required by S.Ct.Prac.R. XIV(2) shall be personal or by facsimile transmission.

IT IS FURTHER ORDERED by the court that counsel of record for the parties shall supply this court with a copy of any document relating to this matter that is filed in, or issued by, any other court in this state or any federal court, as well as any communication, pardon, or warrant of reprieve issued by the Governor. A copy of the document shall be delivered to the Office of the Clerk as soon as possible, either personally or by facsimile transmission.

2003-1612. Shirley v. Republic-Franklin Ins. Co.

Stark App. No. 2002CA00247, 2003-Ohio-4039. This cause is pending before the court as a discretionary appeal and claimed appeal of right. On September 10, 2003, appellant filed a notice that a motion to certify a conflict was pending in the court of appeals, and pursuant to S.Ct.Prac.R. IV(4)(A), this court stayed consideration of the jurisdictional memoranda filed in this appeal. Whereas appellant has neither notified this court that the court of appeals determined that a conflict does not exist as provided by S.Ct.Prac.R. IV(4)(B), nor filed a copy of the

court of appeals' order certifying the existence of a conflict as provided by S.Ct.Prac.R. IV(4)(C),

IT IS ORDERED by the court, sua sponte, that appellant show cause within 10 days of the date of this entry why this court should not proceed to consider the jurisdictional memoranda in this appeal pursuant to S.Ct.Prac.R. III(6).

2003-1637. State v. Cooper.

Crawford App. No. 3-02-02, 2003-Ohio-4236. This cause is pending before the court as a discretionary appeal and claimed appeal of right. On September 19, 2003, appellant filed a notice that a motion to certify a conflict was pending in the court of appeals, and pursuant to S.Ct.Prac.R. IV(4)(A), this court stayed consideration of the jurisdictional memoranda filed in this appeal. Whereas appellant has neither notified this court that the court of appeals determined that a conflict does not exist as provided by S.Ct.Prac.R. IV(4)(B), nor filed a copy of the court of appeals' order certifying the existence of a conflict as provided by S.Ct.Prac.R. IV(4)(C),

IT IS ORDERED by the court, sua sponte, that appellant show cause within ten days of the date of this entry why this court should not proceed to consider the jurisdictional memoranda in this appeal pursuant to S.Ct.Prac.R. III(6).

2003-1964. State v. Conway.

Franklin C.P. No. 02CR063117. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas of Franklin County. Upon consideration of appellant's motion for extension of time to transmit the record,

IT IS ORDERED by the court that the motion for extension of time to transmit the record be, and hereby is, granted, and the time for transmitting the record is extended to February 20, 2004.

DISCIPLINARY CASES

1995-1199. Disciplinary Counsel v. Sopkovich.

The application for reinstatement of Carol A. Sopkovich, Attorney Registration No. 0016795, is granted.

2002-1136. Disciplinary Counsel v. Ames.

The application for reinstatement of Stephen P. Ames, Attorney Registration No. 0023444, is granted.

MISCELLANEOUS DISMISSALS

2003-0652. State Alarm, Inc. v. Pub. Util. Comm.

Public Utilities Commission, No. 98-1018-TP-ATA. This cause is pending before the court as an appeal from the Public Utilities Commission of Ohio. Upon consideration of appellant's 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.

2003-0861. Ohio Dept. of Job & Family Serv. v. Tultz.

Summit App. No. 21241, 152 Ohio App.3d 405, 2003-Ohio-1597. This cause is pending before the court as an appeal from the Court of Appeals for Summit County. Upon consideration of appellants' 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.

2003-1735. State Auto Mut. Ins. Co. v. Goodson Newspaper Group, Inc.

Stark App. No. 2002CA00364, 2003-Ohio-4395. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's 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.

2003-1778. Lemmo v. House of LaRose Cleveland, Inc.

Cuyahoga App. No. 82182, 2003-Ohio-4346. This cause is pending before the court as a discretionary appeal. Upon consideration of appellants' 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.

2003-2092. In re Protests Filed with Summit Cty. Bd. of Elections.

Summit App. No. 21526, 2003-Ohio-5610. This cause is pending before the court as a discretionary appeal and claimed appeal of right. 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.

2003-2113. In re Protest of Brooks Regarding Initiative Petition on the Ohio Prescription Drug Fair Pricing Act.

Stark App. No. 2003CA00130, 2003-Ohio-5765. This cause is pending before the court as a discretionary appeal. 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.

2003-2139. State ex rel. ATCO-Beacon Edn. Assn., OEA/NEA v. Athens Cty. Bd. of Mental Retardation & Developmental Disabilities.

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.

2003-2191. Mackie v. Continental Ins. Co.

Franklin App. Nos. 02AP-1305 and 02AP-1306, 2003-Ohio-6188. This cause is pending before the court as a discretionary appeal. Upon consideration of appellants' 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.