

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

April 19, 2004

MOTION AND PROCEDURAL RULINGS

2003-1325. State v. Hand.

Delaware C.P. No. 02CRI08366. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas of Delaware County. Upon consideration of appellant's motions to unseal juror questionnaires and to supplement the record,

IT IS ORDERED by the court that the motion to supplement the record be, and hereby is, granted and that the Clerk of the Delaware County Court of Common Pleas certify and transmit the following items to the Clerk of this court within 20 days of the date of this entry: (1) all juror questionnaires used during voir dire proceedings at trial; (2) transcripts of all pretrial hearings and conferences; (3) state's exhibits 269 and 280; and (4) transcripts of the grand jury testimony of Kenneth Grimes, Gerald Hand, and Shannon Welch.

IT IS FURTHER ORDERED by the court that the motion to unseal the juror questionnaires be, and hereby is, granted.

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 that appellant's merit brief be due on or before April 26, 2004.

2004-0225. State v. Fraley.

Erie App. Nos. E-02-050 and E-02-051, 2003-Ohio-6976. This cause is pending before the court as an appeal from the Court of Appeals for Erie County.

IT IS ORDERED by the court, sua sponte, that the stay of briefing is dissolved, and this cause is no longer held for the decision in Supreme Court case No. 2003-1380, *State v. Brooks*, Summit App. No. 21360, 2003-Ohio-3143 and 2003-Ohio-3364.

IT IS FURTHER ORDERED by the court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Erie County and that briefing is to proceed pursuant to the Supreme Court Rules of Practice.

2004-0276. State v. Fraley.

Erie App. No. E-02-050, 2003-Ohio-6976. This cause is pending before the court on the certification of a conflict by the Court of Appeals for Erie County.

IT IS ORDERED by the court, sua sponte, that the stay of briefing is dissolved, and this cause is no longer held for the decision in Supreme Court case No. 2003-1380, *State v. Brooks*, Summit App. No. 21360, 2003-Ohio-3143 and 2003-Ohio-3364.

IT IS FURTHER ORDERED by the court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Erie County and that briefing is to proceed pursuant to the Supreme Court Rules of Practice.

2004-0485. State v. Ketterer.

Butler C.P. No. CR2003030309. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas of Butler County. On April 1, 2004, counsel for appellee filed a motion for release of evidence for distribution to the heirs of the decedent. Inasmuch as the record in this case has not yet been filed with the Clerk of this court and, therefore, the subject evidence is not in the possession of this court,

IT IS ORDERED by the court that disposition of this issue is referred to the Butler County Court of Common Pleas for the entry of an appropriate order.