

# The Supreme Court of Ohio

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## CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

April 30, 2004

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### MOTION AND PROCEDURAL RULINGS

**2001-0013. State v. Dixon.**

Lucas App. No. L-96-004. Upon consideration of the motion filed by counsel for appellant to stay the execution of sentence in the above-styled cause pending filing and disposition of his motion for reconsideration and filing of a petition for a writ of certiorari in the Supreme Court of the United States,

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

IT IS FURTHER ORDERED that the compliance with the mandate and the execution of sentence be, and hereby are, stayed, pending the timely filing of the petition in the Supreme Court of the United States.

IT IS FURTHER ORDERED that if such petition be timely filed, this stay shall continue for an indefinite period pending the final disposition of this cause by the Supreme Court of the United States.

**2004-0142. State ex rel. Pethe v. Indus. Comm.**

Franklin App. No. 02AP-1202, 2003-Ohio-6832. 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 stay of briefing schedule pursuant to S.Ct.Prac.R. XIV(6)(C),

IT IS ORDERED by the court that the motion for stay of briefing schedule be, and hereby is, granted, to the extent that appellant's brief shall

be filed on or before June 30, 2004. The parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

**2004-0267. Carriage Court Lancaster L.P. v. Fairfield Cty. Bd. of Revision.**

Board of Tax Appeals, No. 2002-M-1843. This cause is pending before the court as an appeal from the Board of Tax Appeals. Upon consideration of the joint motion to remand case to the Board of Tax Appeals upon settlement,

IT IS ORDERED by the court that the motion to remand case be, and hereby is, granted, and that this cause be remanded to the Board of Tax Appeals to implement the mediated agreement of the parties.

**2004-0484. State ex rel. Best Buy Stores v. Hawkins.**

Franklin App. No. 02AP-1329, 2004-Ohio-551. 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 stay of briefing schedule pending settlement in this case pursuant to S.Ct.Prac.R. XIV(6)(C),

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

**2004-0661. Erb v. Griffin.**

Cuyahoga App. No. 84367, 2004-Ohio-1790. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and therefore should proceed as an appeal of right pursuant to S.Ct.Prac.R. II(1)(A)(1).

IT IS ORDERED by the court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Cuyahoga County. Appellant shall file his merit brief within 40 days of the filing of the record with the Clerk of this court, and the parties shall otherwise proceed in accordance with S.Ct.Prac.R. VI.

## **MEDIATION REFERRALS**

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

**2004-0559. Auction Properties, Inc. v. Columbiana Cty. Bd. of Revision.**  
Board of Tax Appeals, No. 2003-G-183.

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